

REGULAR MEETING CITY COUNCIL
March 2, 2015

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

Mayor Michael presented a resolution to Bethany Woods Nursing and Rehabilitation Center recognizing their 40-years of excellent healthcare service to our community.

Dr. Davis Forte who had been chairman of their board for 35 years and also Mr. Tim Corneilson, Health Administrator came before Council to speak.

(Resolution 15-06. Bethany Woods Nursing and Rehabilitation Center Recognizing their 40-years of excellent healthcare service to our community.)

Upon a motion by Councilmember Alexander, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved the February 2 regular session, February 9 adjourned session, February 10 adjourned session, February 10 closed session, and February 12 adjourned session minutes as submitted.

Mr. Rory Dowling with Development Finance Initiative came before City Council with final recommendations on the redevelopment of the Albemarle Hotel. The City has not budgeted for this project. Management recommends that the City Council accept this report and continue to evaluate the recommendations in order to pursue the development of the Historic Albemarle Hotel.

Mr. Dowling came forward and gave a PowerPoint presentation entailing the following:

- 1) Market Analysis Recap - Summary Findings
- 2) Redevelopment Analysis
 - Recommended Program - • Mixed Use: Residential Above Retail
- 3) – 1ST Floor & Basement: retail, restaurant, & storage
 - 2nd, 3rd, and 4th Floors: 1 & 2 bedroom apartments
 - Residential 18 units
 - Twelve 1- Bedroom units
 - Six 2- Bedroom units
 - Retail 4 retail storefronts
 - 3, 235 SF Total
 - Restaurant Spaces(s) 2 floors
 - 4,200SF
 - Basement Storage 22 storage pods (resident & retail)
- 4) Public Participation Options
 - 1) Upfront or Operating Grant
 - City grant to provide upfront equity or annual operating revenue
 - 2) Mezzanine Financing • City provide gap financing at market or below market rate interest (CDBG Revolving Loan)
 - 3) Historic Landmark Status
 - Annual 50% reduction in property taxes
 - City and County Participation
 - Tax Benefit exists in perpetuity

Mr. Dowling summarized the study and covered what the next steps would be:

- Model redevelopment feasibility based on possible public and private participation options
- Evaluate downtown district designations
- Consult Public and Private stakeholders for feedback and deliver the Final recommendations

He answered any questions that Council had.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, and unanimously carried, the City Council approved the Historic Resources Commission pursuing local historic landmark designation of the Albemarle Hotel site.

Mr. Wesley Stokes, Teague Engineering came before City Council to present a traffic impact assessment of Leonard Avenue from Hwy 24/27 south to dead end.

Mr. Stokes stated that Teague Engineering analyzed current and future traffic conditions on Leonard Avenue from NC Highway 24/27 southward to the dead end. This portion of Leonard is currently heavily traveled with multiple turning movements in a short distance. Also, traffic backs-up from the intersection with NC 24/27 and problems for motorists trying to make other turning movements. This section of Leonard Avenue and the fact there is current retail expansion and know of a possible 64-unit apartment complex at the southern end of the road, it was necessary to have a review of the future traffic issues. The City must be able to plan not only for the volume of traffic, but for the safety of motorists using Leonard Avenue.

Mr. Stokes, Teague Engineering and Marc Morgan, Deputy District Engineer with NCDOT Division 10 answered any questions Council had. There is a possibility of NCDOT and Teague Engineering working together in the NCDOT proposal of bi-directional median installation on NC 24-27 and Teague Engineering proposal of having a build-out mitigation for NC 24/73 at Leonard Avenue and build-out mitigation at the shopping center access/Walmart access.

The Mayor and City Council reviewed a proposal of a bi-directional median(s) installation on NC Hwy 24/27. NCDOT representatives Marc Morgan, Deputy District Engineer Division 10, Sean Epperson, Division Traffic Engineer, and Pate Butler, Regional Traffic Engineer presented a conceptual plan to install bi-directional medians along Hwy 24/27.

Mr. Marc Morgan reviewed the drawings showing the median design proposed. Ms. Pate Butler came forward and noted that with continued development in this area, higher traffic volumes are anticipated. Traffic flow improvements that enhance the efficiency of the current roadway system to alleviate this anticipated congestion and provide safer vehicular conditions should

be considered. Based on accident history, "Spot Safety" funding could be utilized to install these modifications. If Council recognizes the need to improve mobility and safety along the corridor, the Department of Transportation would like a resolution supporting this construction.

Upon questioning, Mr. Morgan stated that we can probably conduct a joint public input session to show the community our plans.

Mayor Michael asked that this item be placed on the agenda for Monday, March 16 with a drafted resolution for review by Council. The Mayor asked that the Public Works Department look at a roundabout on Leonard Avenue being a possibility or a stop light at the shopping center access/Walmart access.

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

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 setting a public hearing for a map amendment to rezone 1705 Woodhurst Lane (Tax Record 29705) from LID/Light Industrial District to R-8A/ Multi-Family Residential. On February 24, 2015 the Planning Board recommended approval of a request of Southern Properties & Development LLC to rezone 1705 Woodhurst Lane (Tax Record 29705) from LID/Light Industrial District to R-8A/ Multi-Family Residential. A 72-unit apartment complex is proposed. The vote was unanimous.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council approved setting a public hearing for a Map Amendment to rezone 1705 Woodhurst Lane (Tax Record 29705) from LID/Light Industrial District to R-8A/ Multi-Family Residential for Monday, April 6, 2015.

The Mayor and City Council considered a request for subdivision of 1710 Ridge Street (Tax Record 8114). On February 24, 2014 the Planning Board

recommended approval of a request of Kenneth R. and Laura D. Frazier to divide the property into one lot including a house with 3-acres and a second lot with 5.78 acres, which is currently vacant. They plan to sell the smaller lot with the house and keep the other lot.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved a subdivision of 1710 Ridge Street.

The Mayor and City Council considered an amendment to an engineering services agreement with LKC Engineering, PLLC for professional services during bidding and construction for the NC Hwy. 52 Water Treatment Plant Rehabilitation Project.

It was noted that this amendment to the professional services contract will provide engineering and support services by LKC Engineering to oversee, support, and administer the public bidding process for the project, post bid negotiations, review and perfecting of construction contract documents, provide coordination with NCDENR during the bidding process, and recommend award of the construction contract. The amendment will also provide full time construction observation and administration services during the actual construction of the project in addition to services to coordinate and administer the SRF loan reimbursement process and NCDENR activities and inspections associated with the process in the amount of \$147,000 and authorize the City Manager to execute said amendment.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved an amendment to an engineering services agreement with LKC Engineering, PLLC for professional services during bidding and construction for the NC Hwy. 52 Water Treatment Plant Rehabilitation Project in the amount of \$147,000 and authorizes the City Manager to execute said amendment.

The Mayor and City Council considered a Resolution to accept and comply with the State Grant to conduct an Alum Sludge Study at the Tuckertown Water Treatment Plant.

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

(Resolution 15- 04. North Carolina Clean Water Revolving Grant Alum Sludge Study.)

The Mayor and City Council considered the termination of the agreement with Landmark for the sale of Central School Property and execute a new sales agreement with the Historic Preservation Foundation of North Carolina. It was noted that at the last meeting Council was advised that the Central School sales agreement between the City and Landmark would need to be terminated and a new agreement between the City and Preservation NC would be forthcoming. Selling to Preservation NC would allow for the legal transfer of the property from the City.

Mr. John Stiltner, Construction Manager, Landmark Asset Services, Inc. and Mr. Brandon Negron, Regional Property Manager, Landmark Property Management Company came before Council to provide a brief update on the project and they answered any questions Council had.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the City Council approved the termination of the of the agreement with Landmark for the sale of Central School Property

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved executing a new sales agreement with the Historic Preservation Foundation of North Carolina.

The Mayor and City Council considered a request from Esther House to designate April as "Sexual Assault Awareness Month".

Upon a motion by Councilmember Townsend, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved a proclamation to designate April as "Sexual Assault Awareness Month".

(Proclamation)

The Mayor and City Council considered participation in the 2016 Urban Archery Season. The City Manager noted that the City will need to submit a renewal application to NC Wildlife by April 1, 2015 if we would like to be a participant in the 2016 Season. He contacted NC Wildlife about the number of deer harvested during the 2015 season and 2 were reported. Neither Parks and Recreation nor the Police Department has reported any issues specifically related to the 2015 UAS. The City Manager thanked the Parks and Recreation Department and specifically Parks and Recreation Program Supervisor Brian Hinson for serving as the City's point of contact for UAS information and questions.

Upon a motion by Councilmember Townsend, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved participation in the 2016 Urban Archery Season.

The Mayor and City Council considered coyote hunting season and regulations. At the February 2 meeting, a request was made that Council consider adding a hunting season on coyote similar to the Urban Archery Deer Season.

Program Supervisor Brian Hinson of the Parks and Recreation Department stated that it can be entered into with no closed season and no bag limit.

Mayor Michael stated that Council needs to decide what they would like to see in the ordinance and staff will design the ordinance.

The City Manager stated we can allow NC Wildlife season to follow the Urban Archery rules with allowing deer, coyotes, hogs, varmints, etc.

Upon a motion by Councilmember Dry, seconded by Councilmember Alexander, and unanimously carried, the City Council approved the drafting of a proposed ordinance to allow year-round archery hunting for coyotes, hogs, varmints, etc. under the same rules and regulations as instituted for Urban Archery Season.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the City Council approved the following Ordinance:

(Ordinance 15-03. To appropriate the sale of surplus property and insurance proceeds for repair of Police vehicle and purchase of replacement vehicle.)

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

(Ordinance 15-04. To Amend the 2014-2015 budget for Parks/Recreation and Water & Sewer.)

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

(Ordinance 15-05. To Amend the Headworks Project Ordinance.)

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

(Ordinance 15-06 - To establish a project budget for the Landfill Leachate Force Main Project.)

The Mayor and City Council considered approval of a request of Pfeiffer-North Stanly Water Association to extend their system in Rowan County to serve approximately 25 residences using approximately 2,000 gallons per day. The agreement does not require City Council approval for residential extensions;

however, PNSWA believes it is prudent to make the request as this extension is in Rowan County. City Council had previously approved an industrial expansion into Rowan County. Staff does not see any problem regarding our ability to continue to provide service as contracted to PNSWA.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the City Council approved extending the PNSWA System in Rowan County to serve approximately 25 residences using approximately 2,000 gallons per day.

The Mayor and City Council reviewed a proposed change of scope to the NC Hwy 52 South sidewalk project requesting to remove a section of sidewalk on Hwy 52 South (South Second St) from East Park Ave to Carpenter Ave from the approved sidewalk project.

The section requested to be removed is on the east side between East Park Avenue and Carpenter Avenue which could cause significant delays and additional costs. We still plan to have the sidewalk installed on the entire west side of the street, making it similar to the project on Leonard Avenue where we will have continuous sidewalk on one side and sidewalk where feasible on the other.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, and unanimously carried, the City Council approved removing a section of sidewalk on Hwy 52 South (South Second St) from East Park Ave to Carpenter Ave from the approved NC Hwy 52 South sidewalk project.

The Mayor and City Council reviewed the 2015 Fire Department Relief Fund appointment. Fire Chief Oke noted that every January the Fire Department is required to have City Council appoint a member of the fire district to the Firefighter's Relief Fund board. City Council appointed Councilmember Alexander to a two year term to the board in January 2013, his term expired last month. Traditionally relief fund board appointments have been members of City Council, although the appointed member is not required to be on City Council.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the City Council appointed Councilmember Alexander for another two-year term to the 2015 Fire Department Relief Fund.

The Mayor and City Council considered the adoption of Cabarrus, Stanly, and Union Regional Hazard Mitigation Plan. The adoption of a Hazard Mitigation Plan is a requirement of the State and Federal Governments in order to receive assistance from either following a declared disaster. The City Council previously approved the City participating in a regional planning process to update our plan.

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

(Resolution 15- 05. The adoption of the Cabarrus, Stanly, Union Regional Hazard Mitigation Plan.)

The Mayor and City Council considered setting filing fees for the 2015 Municipal Elections. The Stanly County Board of Elections has requested the City set the filing fees for the 2015 municipal elections. The City Council established fees of \$20.00 for the office of Mayor and \$10.00 for City Council for the 2013 election. Fees can be set as low as \$5.00 and as high as 1% of the annual salary of the office according to the NC General Statues. According to Elections Director Kimberly Wilson filing at the Board of Elections begins July 6 and is open through noon on July 17.

Upon a motion by Councilmember Alexander, seconded by Councilmember Townsend, and unanimously carried, the City Council approved setting filing fees for the 2015 Municipal Elections as \$10 for City Council and \$20 for the office of Mayor.

The Mayor and City Council considered proposed changes to sign regulations.

Planning and Community Development Director Keith Wolf and Senior Planner Nasser Rahimzadeh came before Council to review current sign regulations and proposed changes to the sign ordinance pertaining to temporary signage, ground-mounted signage, wall-mounted signage, prohibited signage, and CBD requirements and to consider way-finding signs. The proposals came based on input the City has received and after a public input session and discussion with the Planning and Zoning Board. Council made suggestions that can be reviewed by the Planning Board or agreed on the proposals made.

The Mayor and City Council considered surplus of a 1984 GMC Aquatech Sewer Jet Truck. The subject equipment was used for over 20 years in the cleaning of sanitary sewers. The equipment no longer functions for its primary use and was taken out of service in June of 2014. There are no other secondary uses that the equipment can serve. A replacement for the unit has been acquired and is performing satisfactorily. The Public Utilities Department recommends that Council declare the 1984 GMC Aquatech Sewer Jet Truck be declared as surplus and disposed of the equipment through an appropriate public process.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved surplus of a 1984 GMC Aquatech Sewer Jet Truck.

The Mayor and City Council considered a street closure request for the 2015 Mini Medley Relay Race on March 21, 2015. Council received an information memo with route map, a completed Street Closure Request Form, and a completed Parade Permit Form. They request closure of the following streets beginning at 8:30 am.

- Third Street from North Street to East Cannon Avenue
- Fourth Street from North Street to East Cannon Avenue
- East Cannon Avenue between Third and Fourth Streets
- North Street between Third and Fourth Streets
- Montgomery Avenue between Second and Fifth Streets

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the City Council approved a street closure request for the 2015 Mini Medley Relay Race on March 21, 2015.

The Mayor and City Council reviewed volunteer fire department mutual aid thank you letters. During the recent cold weather our Fire Department utilized extensive mutual aid from Bethany VFD, Endy VFD and Eastside VFD. Council reviewed and signed as a note of thanks to the respective departments for assisting the City of Albemarle

The Mayor and City Council received an update concerning the demolition of houses. James Luster with Centralina Council of Governments previously met with David Beaver and Planning and Community Development Director Keith Wolf on Friday February 6th. Mr. Luster had followed the normal procedure of setting up hearings for the owners and posting a notice on the property if the owner did not come to the hearing. Mr. Luster had requested this meeting to make sure that Mr. Beaver was comfortable with going forward with ordinances for demolition. Mr. Beaver advised that notices should be posted in the newspaper prior to the consideration of demolition ordinances by Council. Both Mr. Luster and Mr. Beaver are confident that the demolitions can be completed by June 30, 2015. Depending on the cost of bids accepted, a budget amendment may be necessary. In March the Fire Department is planning to conduct a controlled burn for a training exercise at 507 Salisbury Avenue.

The Mayor and City Council considered attendance at the Chamber of Conference Annual Meeting that has been rescheduled for Monday, March 9 at 5:30 pm.

Mayor Michael and Councilmembers Dry, Townsend, and Whitley stated that they will be able to attend.

The Mayor and City Council discussed how they would like the City's votes to be cast concerning current and future NCMPA#1 debt. The City's rate committee delegate is Public Utilities Director Michael Leonas and the Board of Commissioner delegate is City Manager Michael Ferris. Mayor Michael provided an

overview of the three options concerning the payment of the current debt and issuance of additional debt for capital needs. The options ranged from not refinancing existing debt and paying for additional capital needs with current revenues and reserves, a full refinancing of current debt and issuance of new debt for capital needs, and a combination of financing and current revenues. The Mayor briefly reviewed the anticipated impact of each on the long and short term electric rates.

It was the consensus of the City Council to direct the City's voting delegates to support the option of not refinancing the existing debt and paying for the needed improvements from existing revenues and reserves. It was also noted that all three plans have merit and that if Mr. Leonas or Mr. Ferris are presented with additional information that changes the projections, that they can vote for the option they feel is in the long-term best interest of the City of Albemarle an electric customers.

Councilmember Townsend asked if at a regular meeting sometime in the future, Council could consider recognizing Al Andrew, Head Coach for boy's basketball team at Albemarle High School and also to recognize the basketball team.

Councilmember Aldridge thanked all the department heads in all their hard work during the increment weather the last couple of weeks. Also, he thanked the City Manager for keeping Council updated during this time.

Upon questioning by Councilmember Alexander, the City Manager stated that there were only 150 outages.

Councilmember Dry reiterated wanting recognition for Albemarle High School ~~W~~ Head Coach Al Andrew and his basketball team.

Councilmember Dry stated he received a call concerning trash containers and that residents cannot find a number to Waste Management in the local phone book. He asked that the City Manager look into this.

Councilmember Whitley reiterated thanks to all the department heads in all their hard work during the increment weather the last couple of weeks.

Councilmember Hall also congratulated Basketball Coach Al Andrew and his men's basketball team on their recent success and Coach Andrew for achieving 400 + career wins.

Councilmember Hall thanked the City for the proclamation designating April 2015 as "Sexual Assault Awareness Month". Ms. Hall spoke of the wreath the City has that is displayed during April concerning and is displayed in October for "Domestic Violence Awareness Month. She asked that the City displayed this wreath in April and October.

Councilmember Hall handed out information to Council concerning Centralina Council of Government's Annual Report for 2013-2014.

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) 5 to discuss real estate matters and contract negotiations for the lease of property.

Upon a motion by Councilmember Dry, 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) 5 to discuss real estate matters and contract negotiations for the lease of property and there was nothing to disclose at this time.

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