

REGULAR MEETING CITY COUNCIL

May 4, 2015

The City Council of the City of Albemarle met in a regular session on Monday, May 4, 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, Benton H. Dry, II, Martha Sue Hall, Martha E. Hughes, Dexter Townsend, and Chris Whitley. Absent, Councilmember Bill Aldridge.

Mayor Michael gave the invocation.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved the April 15 adjourned session, April 20 regular session and April 20 closed session minutes as submitted.

The Mayor and City Council held a public hearing to consider 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.

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

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

(Ordinance 15-12 – A Text Amendment Regarding Sign Regulation Changes.)

The Mayor and City Council held a public hearing to condemn and authorize demolishing the dilapidated structure at 421 Wall Street. No one spoke for or against the matter at the hearing.

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

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

(Ordinance 15-13- To demolish the property at 421 Wall Street.)

The Mayor and City Council held a public hearing to condemn and authorize demolishing the dilapidated structure at 112 Heath Street. No one spoke for or against the matter at the hearing.

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

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

(Ordinance 15-14 – To demolish the property at 112 Heath Street)

The Mayor and City Council held a public hearing to condemn and authorize demolishing the dilapidated structure at 904 Lowder Street. No one spoke for or against the matter at the hearing.

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

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

(Ordinance 15-15 – To demolish the property at 904 Lowder Street)

The Mayor and City Council held a public hearing to condemn and authorize demolishing the dilapidated structure at 842 Woodland Drive. No one spoke for or against the matter at the hearing.

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

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

(Ordinance 15-16 – To demolish the property at 842 Woodland Drive)

Upon questioning, James Luster with Centralina Council of Governments gave the dollar amount cost of asbestos abatement, lead paint, and demolition on all four properties. Mr. Luster noted that all of the above properties should be demolished in this fiscal year before July 1, 2015.

The City Manager stated that Planning and Community Development Director Keith Wolf budgeted for these demolitions and the \$46,000 should more than cover all of the expenses.

Ms. Vicki Galloway, 1120 West Main Street came before Council to request a water catch basin in the unopened alley way between W. Main Street and Lowder Street. Ms. Galloway, stated that the water catch basin would help to stop

water that runs off from a water pipe that is between a house on Church Street and Tabernacle UMC. Council reviewed a map and photos that were supplied by Ms. Galloway.

Mayor Michael asked for Ms. Galloway to give the City staff time to look into this issue and they will come back before Council with recommendations.

City Attorney David Beaver stated that staff needs to determine if this alleyway was ever a public alley. If not the original developer or the residents of this area would be responsible.

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 an appointment to the Albemarle ABC Board. City Council held over making an appoint to talk to potential candidates. The appointment would be for a three-year term expiring in March 2018.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the City Council approved appointing Terry Morgan to a three year term on the ABC Board expiring March, 2018.

The Mayor and City Council reviewed the Fiscal Year 2015/2016 Budget from City Manager Michael Ferris. City Manager Michael J. Ferris thanked City Council for the faith and trust placed in him to develop a budget to meet the needs of City residents, tax payers and business community. Mr. Ferris also thanked City staff for their work and thoughtful and fiscally responsible budget, especially, Finance Director, Colleen Conroy, in the development of the budget.

Mr. Ferris started with the current year budget and stated the City will be able to discharge all of its financial obligations this current year. We will close the year in a very good position and adequate fund balances in all funds. Mr. Ferris

covered some of this fiscal year accomplishments such as five new vehicles in the Police Department, the continuation of the SAGE gang initiative, the planned replacement of approximately five thermal imaging devices in the Fire Department, the anticipated sale of the former Central School property for the development of an affordable senior housing community, the continued increase in the commitment to the technical infrastructure that plays a growing and critical role in daily operations, the anticipated demolition and removal of four dilapidated structures. Also, the anticipated resurfacing of a significant portion of North Second Street, progress made in the economic development arena with a full time City Economic Development Director since April 2014, continued work with Retail Strategies, and we have participated in the successful expansion and planned expansion of local manufacturing of future projects.

The proposed budget includes fleet maintenance software, three Police vehicles, the assumption of the full cost of a SAGE Coordinator position in Police Department, increasing the City share to 50% of the cost of a Patrol position created by Governor's Highway Safety Grant, creation and addition of an Evidence Custodian position in the Police Department, three Fight fighters position after expiration of the SAFER Grant, to match a Federal Grant for the acquisition of new radios in the Fire Department or to being payments in the event the grant application is not successful, an overhaul of the City's employee performance appraisal system, and the continued bolstering of the City's technology infrastructure.

Mr. Ferris stated that there are significant challenges to continue to provide the level of service especially with the Stanly County Tax Assessor's report of property valuation to be \$992,000,000 this year, down 6,000,000 from last year and lowest estimate since 2006. In the General Fund the budget presented allows the City to continue to carry out its obligations with no proposed property tax increase and will remain at \$.59 per \$100 of assessed valuation. Also Fiscal Year 2015-16 presents a significant challenge with the State's elimination of Privilege License Tax, estimated to remove \$160,000 in revenues from the General Fund Budget and risign cost of doing business places a greater strain and reliance on the property tax revenues.

Mr. Ferris covered the proposed Powell Bill Fund at \$776,000 which is a 22.82% increase from the current Fiscal Year adjusted budget, but will include funds for asphalt repair and street resurfacing totaling \$150,000. Mr. Ferris also reviewed the Water and Sewer Fund Budget and it being 18.63% greater than the current Fiscal Year adjusted budget proposing a 4% increase for both water and sewer rates, the Electric Fund and represents a 1.81% decrease from the current year adjusted budget with a hope of a 1.6% rate decrease as of October 1 but we are not recommending the adoption of a revised City Electric Rate Schedule until

we receive confirmation of the approval of the NCMPA#1 refinancing due to the impact on the wholesale rates the City is charged by them. Next the Solid Waste Disposal fund and not recommending any increase in the tipping fee for municipal solids waste but proposing an increase in construction and demolition (C&D) disposal fee from \$34.00 per ton to \$40 per ton and the budget also includes a new \$1.00 per ton fee specifically for the funding of closure and post-closure costs.

The budget also includes a proposal for the implementation of the salary study to ensure hiring and competitive pay rates and will include the updating of the City personnel policies. The budget will provide a 1% cost of living adjustment for all employees effective July 1. Also, no Planning and Zoning fees, fire inspection fees, plan review fees, and complete elimination of the business license fees. The budget does include an increase in the monthly solid waste collection fee of \$2.06, an increase of \$.29 per month in the solid waste disposal fee, and includes the implementation of a \$5.00 motor vehicle registration fee.

Mr. Ferris stated that a public hearing can be set for Monday, June 1, 2015.

Upon a motion by Councilmember Hall, seconded by Councilmember Alexander, and unanimously carried, the City Council approved setting a public hearing for the budget ordinance for Monday, June 1, 2015.

Mr. Ferris answered any questions that Council had.

The Mayor and City Council considered setting a public hearing for a text amendment to remove sections regarding quasi-judicial proceedings.

On April 28, 2015 Planning Board recommended approval of a text amendment in two sections of the zoning ordinance. The first proposed change would be the deletion of section 92.089 Conditional Use District Rezoning from the zoning ordinance and to leave the section as reserved. The second proposed change is to delete the following sentence from section 92.101: The Planning Board must review each petition for a conditional use permit, and the Board's recommendations and comments will be presented in writing at the public hearing and will be included in the minutes of the meeting.

If this text amendment is approved, the Conditional Use District Rezoning will no longer be an available option and Conditional Use Permits will no longer require

Planning Board review. Quasi-judicial decisions for conditional use permits that previously required Planning Board review will go directly to City Council.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the City Council approved setting a public hearing for Monday, June 1, 2015 to consider a text amendment to remove sections regarding quasi-judicial proceedings.

The Mayor and City Council considered acceptance of a NCDENR Grant. The Public Works Department is proposing to install fencing with an automated gate as well as security cameras at the entrance to the City of Albemarle Landfill Facility. The purpose is to improve employee safety, improve access, and provide better overall security at the facility. It was noted that the department has written and received a NCDENR grant specifically for this project covering an estimate 50% of the project. The remaining cost of the project can be covered with revenues from unbudgeted grants and reimbursements.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the City Council approved acceptance of a NCDENR Grant to install fencing with an automated gate as well as security cameras at the entrance to the City of Albemarle Landfill Facility in the amount of \$19,768.02, which covers approximately 50% of the cost of an automated sliding gate system with keypad entry and network video surveillance at the Solid Waste Facility.

Public Works Director Nina Underwood noted that Public Works has also received this year a grant award from NCDENR in the amount of \$29,307.45 associated with cost overruns from the operation of the scrap metal tire and white goods recycling programs. She also noted that these unanticipated revenues, along with this grant, will more than cover the cost of this project, estimated at \$40,000.

The Mayor and City Council considered approval of amendment # 001 to delivery order 4130 for HVAC renovations in Amhurst Gardens. The purpose of this Amendment is to include the design of the remaining 40 buildings/apartments into the scope of work of the Delivery Order. The Department of Public Housing has received its 2015 CFP award and would like to attempt to complete the remainder of the HVAC replacement phases. The Amendment will increase the amount of the

original Delivery Order to \$55,950.00 due to increased design time and construction time. This Amendment will need to be approved by City Council with the Mayor's signature.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the City Council approved amendment # 001 to delivery order 4130 for HVAC renovations in Amhurst Gardens to include the design of the remaining 40 buildings/apartments into the scope of work of the Delivery Order which will increase the amount of the original Delivery Order to \$55,950.00 due to increased design time and construction time.

The Mayor and City Council considered a resolution to support redistricting reform. Councilmember Hall has requested the City Council consider approving this resolution.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved a resolution to support redistricting reform.

(Resolution 15-13. City of Albemarle in support of redistricting reform.)

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council approved a resolution to honor the service of Joe N. Calloway, Sr. on the Albemarle ABC Board.

(Resolution 15-12. To honor Joe Calloway's service on the ABC Board.)

The Mayor and City Council reviewed appointments for expiring terms on City Boards and Commissions. Mayor Michael stated that Council can review the boards and commissions information and their term expirations and be prepared to appoint or reappoint candidates at the May 18 regular meeting.

The Mayor and City Council considered a Proclamation to Designate Saturday, May 9 as "Letter Carriers' Food Drive Day".

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the City Council approved a Proclamation to Designate Saturday, May 9 as "Letter Carriers' Food Drive Day".

(Proclamation)

The Mayor and City Council were informed that the Hillside Village Subdivision Sign has been removed.

Mayor Michael stated that the Day of Prayer ceremony will be held on Thursday, May 7 at Courthouse Square Park at 12 noon.

Mayor Michael stated that NC Department of Cultural Resources Secretary Susan Kluttz will be here at City Hall on Friday, May 15 at 11 am concerning the Historic Preservation Tax Credits. The Mayor asked that everyone be there that possibly can. He said they will more than likely be using the Raymond I. Allen Community Room and the Council Chambers if there are a good number of people attending.

Mayor Michael stated that he had a request from Merle Britt concerning one of his properties on US Highway 52 that backs up to Broom Street. There is a 30 foot wide driveway area there that never had a curb and gutter and there is a water issue there. He is requesting to have a driveway put in with a curb cut.

Upon a motion by Councilmember Dry, seconded by Councilmember Alexander, and unanimously carried, the City Council approved a driveway with a curb cut on Broom Street for Merle Britt's property.

Police Chief Halliburton and two of his officers, Officer Berry and Officer Burleson came before Council to demonstrate a new safety vest that houses most of the officer's equipment that normally goes on the belt. They demonstrated what it is like for an officer with and without this vest and the weight of the equipment if placed on the belt if not using the vest. The officers will be demonstrating and speaking with community groups concerning this safety vest.

Advantages:

- Reduce lower back injury
- Reduce amounts spend by the City on Workman's Comp Claims
- Quickly removed to reach a wound in an emergency situation
- Provides additional points to use for emergency evacuation in a deadly situation
- Medical accommodation
- Can be used in emergency situation as Immediate Identifier (OFF DUTY)
- Provides space to carry equipment
- Officers more visible by having **POLICE** in large letters on the back/front of vest
- Helps preserve the health of the community's public officers

Mayor Michael asked that Council help to promote the importance of officers using this vest. Chief Halliburton and his officers answered any questions that Council had.

The City Manager stated that there have been some changes made to the travel policy since Council voted at the April 6 regular meeting and approved amending the travel policy so that it is expanded to include mileage reimbursement for all NCLM and all ElectriCities events for elected officials.

Mr. Ferris handed out a copy of the revised travel policy to City Council.

Councilmember Townsend asked for a report from Public Housing Director Cedric Baldwin and Fire Battalion Chief Russell on the fire at public housing on Friday, May 1.

Mr. Baldwin came forward and stated the fire was one unit starting in the kitchen area and involved one more unit at Amhurst Gardens. Two families were displaced but today they were able to move into two other units temporarily.

Battalion Chief Russell stated that 11 on duty and 7 off duty officers responded to the fire call. There was \$180,000 of structural damage and \$20,000 of content damage in the fire.

Councilmember Townsend stated that he had noticed in the news of other municipalities being involved with safe zones for E-Commerce transactions. The City may want to consider this.

Councilmember Hughes stated that she and Councilmember Hall attended a presentation this morning of the Charlotte Philharmonic Orchestra here in Albemarle for all of Stanly County 5th grades. We hope this will become an annual event for us here in Albemarle and Stanly County.

Councilmember Whitley commented on his disappointment of the Beach Blast he attended on May 2 downtown Albemarle. He hopes to see the event build back up as it use to be.

Councilmember Dry stated on the 1st Saturday in May, there are a lot of events going on every year which affects the Beach Blast attendance each year.

Councilmember Hall reiterated what Councilmember Dry stated concerning the Beach Blast.

Councilmember Hall also spoke of the presentation this morning for 5th graders of the Charlotte Philharmonic Orchestra here. The Stanly County School Board said most of the support for this event came mostly from the residents of Albemarle.

Councilmember Hall thanked Chief Halliburton and his staff for consoling a resident after her dog had been shot by another resident when the dog came onto the man's property.

Assistant Public Works Director Darren Preslar came before Council to answer any questions from Council concerning the burned equipment at the landfill.

Tracey Oliver, resident on West Main Street, thanked Council for allowing City staff time to look into water drainage issues of the abandoned alley way between W. Main Street and Lowder Street.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, and unanimously carried, the City Council adjourned to a closed session pursuant to NCGS 143-318.11 (a) (5) for the negotiation of real property.

Upon a motion by Councilmember Alexander, 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) (5) for the negotiation of real property and there was nothing to disclose at this time.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the meeting was adjourned until Wednesday, May 6 at City Hall in the Executive Conference Room at 6:00 pm for a budget work session.