

REGULAR MEETING CITY COUNCIL
May 18, 2015

The City Council of the City of Albemarle met in a regular session on Monday, May 18, 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 Pro-Tem Alexander presided until Mayor Michael arrived and called the meeting to order.

The Mayor Pro-Tem and City Council recognized the Albemarle High School Women's Basketball Team and Coach Eric Davis.

The Mayor Pro-Tem and City Council recognized the Albemarle High School Men's Basketball Team and Coach Al Andrew.

The City Council considered approval of May 4 regular Session, May 4 closed Session, May 6 adjourned Session and May 7 adjourned Session Minutes.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved the May 4 closed Session, May 6 adjourned Session and May 7 adjourned Session Minutes as submitted.

Ms. Jennifer McSwain, Executive Director of the United Way of Stanly County along with City campaign co-chairs Tony Upchurch, Lindsay Carter and Nina Underwood, came before Council requesting Council's support for the

City to be the Pacesetter for the 2016 United Way Campaign. Pacesetter campaigns are conducted in August, prior to the official start of the campaign, and provide momentum and enthusiasm for the campaign. Councilmember Aldridge asked to be recused due to being a United Way board member.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council excused Councilmember Aldridge from voting on this issue.

City Campaign co-chair Tony Upchurch asked that Council approve one day vacation to all City fair share givers for the 2016 campaign year. A fair share giver gives one hour pay per month for 12 months toward the United Way Campaign.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the City Council agreed to give all fair share givers one day off and to support the City being a Pacesetter for the 2016 United Way Campaign.

Councilmember Aldridge came back into the meeting at this time.

The Mayor Pro-Tem stated that Council had a copy of the monthly departmental reports in their agenda packets and asked if anyone had any questions. Councilmember Hall indicated she likes the new format of the monthly reports.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved moving the appointments to City boards and commissions item to the Monday, June 1 regular session meeting.

The Mayor and City Council considered a loan agreement between City of Albemarle and Central School, LLC. The loan agreement and deed of trust formalize the City's commitment to the project. It was noted that the agreement is that the City is not reimbursed and is our contribution to the project. The plan is

for the City to make two payments of \$225,000 to Albemarle Central School, LLC. One payment in FY 2015/2016 and the second payment in FY 2016/2017. This agreement needs to be in place before the closing can occur.

Mayor Pro-Tem Alexander stated that the Landmark Group has verbally received the final federal approval they were waiting on, but are still awaiting the official notice to arrive. The City Attorney has been provided with a copy of these documents for his review. City Attorney David Beaver answered any questions that Council had.

Mr. John Stiltner with The Landmark Group discussed the project status and answered any questions that City Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved moving this item forward to the Monday, June 1 regular session for more clarification.

The City Manager handed out to Council the auditorium lease agreement at the Central School location for review and this can also be covered at the Monday, June 1 regular session meeting.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council approved moving discussion and vote forward to the Monday, June 1 regular session on the lease agreement for the auditorium at the Central School location.

The Mayor and City Council reviewed a report on an unopened alleyway's drainage issues. City staff was asked to go on-site and investigate the current situation as it relates to the drainage issues reported by area residents. Public Works Street Superintendent Ross Holshouser met with residents recently to hear their concerns and thoughts as well as to investigate the situation. Council reviewed a memorandum with his findings and photos.

Ms. Vicki Galloway, 1120 West Main Street, stated that the residents affected would be willing to keep this alleyway clear if the City would initially clear it out for them.

The Mayor Pro-Tem stated that there is no information showing that the City ever accepted maintenance or made this alleyway public. The City had on

occasion maintained the ditch but at some point relayed to the residents this maintenance was coming to an end.

Public Works Street Superintendent Ross Holshouser came forward stating that over the years development taking place and a private storm water pipe being installed has directed water into the alleyway ditch. Lack of maintenance and uncontrolled growth and debris has been placed in the ditch and may be the cause of this new problem. There are gas lines in this alleyway that have to be considered before any work is done. The City Manager recommended these obstructions be the very first thing that needs to happen if drainage is to be addressed and not recommending acceptance of this alleyway by the City. There are four property owners that are the most affected by this alleyway.

Councilmember Dry asked that the City contact the local Gas Company and see what the City has to do to help these homeowners get this open alleyway cleared out initially and will be the property owners responsibility after that.

It was the consensus of City Council to have Public Works Street Superintendent Ross Holshouser to speak with the Gas Company of location of gas lines in this alleyway and come back before Council with recommendations.

The Mayor and City Council considered approval of Bid 2015-06 for the resurfacing a portion of North Second Street. A bid opening was conducted on May 6, 2015 for the resurfacing of North Second Street. The two companies that bid the project were Trull Contracting at \$198,195.20 and JT Russell & Sons at \$174,372.67. The project manager recommends the award to JT Russell & Sons.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the Council bid approval for the resurfacing of a section of North Second Street to low bidder, JT Russell & Sons in the amount of \$174,372.67.

(Bid Tabulation 2015-06)

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

(Ordinance 15-17– To amend the Fiscal Year 2014-15 Budget to appropriate the NCDENR Grant monies for the purchase/installation of a gate security system for the Landfill from White Goods Management.)

The Mayor and City Council considered residency requirements for the personnel policy. The City Council held several meetings to discuss the proposed Personnel Policy and has decided on all issues with the exception of a residency requirement for employees. As proposed from the MAPS Group it did not include any residency requirements for any City employee. Council reviewed the survey results which show some municipalities still having residency requirements for the City Manager.

Councilmember Townsend stated that he would like Council to consider requiring City department heads to live inside the City limits and mileage boundaries for other employees.

Councilmember Hall stated that the City Manager and department heads should live close especially during tragic times.

The City Manager stated that the current policy requires the City Manager, Assistant City Manager to live inside the City, departments heads to live inside the County and other employees within adjoining counties.

Councilmember Aldridge asked about emergencies and employees living in other counties. Public Utilities Director Michael Leonas clarified this answer for emergency and on call personnel.

Mayor Michael came into the meeting at this time.

Police Chief Halliburton stated that having a greater geographical area allows the City more employees to choose from. Having employees live within adjoining counties works well for the Police Department.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the Council approved leaving the City residency requirements for the personnel policy requires the City Manager, Assistant City Manager to live inside the City, departments heads to live inside the County and other employees within adjoining counties.

The Mayor and City Council reviewed the Phone System lease agreement. The amount for the monthly payments on the lease is included in the proposed budget for Fiscal Year 2015-2016. This is a request to authorize the Mayor to sign the Lease Agreement document and to sign the Certificate of Incumbency; authority document authorizing the City's Finance Director Colleen Conroy to sign the relevant payment processing document(s). Also on the Certificate of Incumbency; authority document authorize the City's Director of Information Systems, Owen Squires, to sign the Delivery and Acceptance Certificate.

The term is 60-months and provides the City the option of purchasing the equipment after 60-months at fair market value. Payments will be approximately \$600 less per month than the amount for the old phone system. Staff is close to finalizing the installation and set up process, so the anticipated price should not vary much. The price also includes training.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the Council authorized the Mayor to sign the Lease Agreement document and to sign the Certificate of Incumbency; authorizing the City's Finance Director Colleen Conroy to sign the relevant payment processing document(s), and on the Certificate of Incumbency; and authorizing the City's Director of Information Systems, Owen Squires, to sign the delivery and acceptance Certificate.

The Mayor and City Council considered the donation of items for the silent auction at ElectriCities Annual Conference with proceeds to benefit the Fallen Linemen Foundation.

The Mayor asked that the City contact the Convention and Business Bureau City board members, Jack Neel and Wade McSwain for help on donations.

The Mayor and City Council were reminded of the Stanly County COG Meeting in Locust on May 26 which will be held at First Baptist Church in Locust at 6:30. For those car pooling, we will be leaving the City Hall at 6:00 pm.

The Mayor and City Council were reminded that City Offices will be closed on Monday, May 25 for Memorial Day.

Mayor Michael stated that the City now has all signatures from property owners on the Leonard Avenue and US Hwy 52/1st Street sidewalk projects. Council will need to approve the sidewalk agreements, the dollar amount paid, and requests approved for property by the City or either the property being donated.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hughes, and unanimously carried, the Council adopted records showing the property, amount paid, amount donated, or requests approved for the owners as completed for the record.

(Leonard Avenue and US Hwy 52/1st Street adopted as completed records)

The Mayor congratulated the people responsible for the Grill Cook-off held this past Saturday, May 16 at the EE Waddell Community Center. He thanked Councilmember Townsend and all the cooks.

Mayor Michael stated that GHA's Rubber Duck Derby also took place on Saturday, May 16th at Stanly County YMCA Park.

Councilmember Hughes stated that there was a great turnout on Friday, May 15 during NC Cultural Resources Secretary Susan Kluttz's visit concerning Historic Tax Credits.

The City Manager stated that the employee picnic held on Wednesday, May 13 was a great event as always with great food. The food remaining was either frozen or given to the Community Table with nothing going to waste.

Councilmember Alexander asked that Council send a letter to Senator McInnis concerning the Historic Tax Credits. The Mayor confirmed that the letter will be sent.

Councilmember Dry echoed the comments made by the City Manager concerning the Employee picnic on Wednesday, May 13. He also thanked City staff for their participation.

Councilmember Whitley thanked the Public Utilities Electric Division on getting the power back on so quickly on Monday, May 11 when Duke Power lost their feed to the City substation. It was noted that the City switched all the electrical load to other substations.

Councilmember Whitley stated that he will be attending a RPO meeting on Thursday, May 21 if anyone has an issue they would like him to bring to the meeting.

The Mayor stated that the Board of Transportation is expected to approve the final 2016 STIP in June, which will be the final step in implementing the State Transportation Improvement Program (STIP) and US 52 and NC 24-27 are listed under Division 10 projects.

Councilmember Hall stated that she participated in a general government legislative action committee on Tuesday, May 12 in Raleigh. Out of 40 people eligible, only five participated in this region. They discussed the bill which would give counties increased flexibility within their authority for local sales and use tax to enable cities to provide a replacement revenue with losing the privilege license tax.

Also, Ms. Hall talked about House Bill 771, NCDOT/Utility Relocation costs provision where populations under 10,000 currently and will not pay any of the relocation costs and cities between 10,000 and less than 50,000 would pay either 25 or 50% of the costs. This would provide relief to cities as Albemarle with a population under 50,000 by requiring NCDOT to pay some or all of the costs of relocating

municipal utilities when state road construction forces those utility lines to be removed.

Councilmember Hall thanked Shannon Beamon with the Stanly News and Press and Leon Warren with 1010WSPC radio for their great coverage on different City and County issues.

Mayor Michael stated that Economic Development Director Mark Donham will be at a North Carolina Economic Developers Association (NCEDA) Legislative Day tomorrow in Raleigh.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, 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 Alexander, seconded by Councilmember Aldridge, 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.

Mayor Michael stated that Public Works Street Superintendent will place the Merle Britt’s driveway request on the schedule for August/September with curb cuts. Also, curb cuts will be placed on the schedule for Pee Avenue.

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