

REGULAR MEETING CITY COUNCIL

February 2, 2015

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

Eighth graders from Albemarle Middle School participated with the City Manager providing an overview of the City's structure and operations, and conducting a mock Council meeting. The ones assigned to departments shadowed their department head. This event is sponsored by the Albemarle Optimists Club.

Youth In Government Day participants from Albemarle Middle School:

Mayor - Lee Boone

City Manager - Meghan Krol

Fire Chief - Garret Clark

Police Chief - Christian Watkins

Recreation Director - Zycoria Tillman

Utilities Director - Emma Freeman

Finance Manager - Liam Taylor

Personnel Director - A.J. Pinto

City Council (7) - Will Little, Jillian Scardina, Kira Barringer, Alex Dennis, Sam Butler, Kniya Little, and Armani Baldwin

Public Works - Jermal Corpening-Ingram

Information Systems - Tristen Thielman

Public Housing - Brody Lowder

Mayor Michael had each student introduce themselves and state what they did today.

A school representative came forward and thanked City Council for allowing the students participation today.

Lee Boone, student participating as Mayor Michael gave the invocation.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, and unanimously carried, the City Council approved the January 20 Regular Session minutes as submitted.

The Mayor and City Council held a public hearing to consider a conditional use permit regarding a Sober Living Facility at 540 North First Street.

Mayor Michael swore in those providing comments on the matter.

Mr. Matt Tracy, 1214 Carolyn Drive, Albemarle, came before Council in favor to support a conditional use permit regarding a Sober Living Facility at 540 North First Street. He stated that the facility supports all issues in a positive manner concerning the finding of facts.

Ms. Allison Hudson who filed this petition came before Council and explained exactly what this is and its requirements. She stated there will be up to 16 men staying at this location with curfews. She said they will aid the men in getting a job and handling their legal needs. Also aid in their self-esteem and getting them back into society. The facility will be staffed 24-hours a day with residences on the top two floors and offices and a common area on the bottom level.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved closing the public hearing.

Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, and unanimously carried, the City Council approved the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved the use meets all required conditions and specifications.

Upon a motion by Councilmember Whitley, seconded by Councilmember Townsend, and unanimously carried, the City Council approved the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hughes, and unanimously carried, the City Council approved the location and character of the use, if developed according to the plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City of Albemarle and its environs.

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

(Resolution 15-02. Conditional Use Permit to operate a Sober Living Facility at 540 North First Street.)

Mr. Danny Russell came before Council as an unannounced delegate to discuss the possibility of Council changing the ordinance allowing the hunt of coyote in the City limits. He stated that he would like to be able to regularly hunt coyote all season in the City and use the same guidelines as is used for urban archery. He stated that if the coyote population is not kept under control, you have a large population looking and scavenging for food and they could be aggressive. They could possibly harm cats, small dogs, and small children

Mr. Russell answered any questions that Council had.

Mayor Michael stated that the City has received complaints for years in different areas of the City of coyotes. He stated that Council will have staff research what other cities are doing and the NC Wildlife Commission.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry, and unanimously carried, the City Council approved having staff research what other cities are doing and the NC Wildlife Commission concerning coyote population control and bring back an ordinance before Council for review.

Ms. Tiffany Dahl, representing the Albemarle Downtown Business Association came before City Council as an unannounced delegate to request a street closing for the Beach Blast Block Party on Saturday, May 2, 2015. Closing 1st and 2nd Streets from North Street to South Street and Main Street from Third Street to Depot Street. Ms. Dahl asked that the \$50 street closure application fee for this event be waived. They will contact NCDOT concerning requirements of special events street closures.

Hours of Event - 2:00 pm-10:00pm
Hours of Street Closure - same

Upon a motion by Councilmember Alexander, seconded by Councilmember Aldridge and unanimously carried, the City Council approved a street closing for the Beach Blast Block Party on Saturday, May 2, 2015, closing 1st and 2nd Streets from North Street to South Street and Main Street from Third Street to Depot Street and waiving the \$50 application fee.

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 reviewed information concerning the Public Works Department utilizing the services of pavement engineers with the North Second Street milling and resurfacing project as well as possible projects in the future.

Director of Public Works Nina Underwood came before Council recommending the engagement of an engineering firm specializing in pavement issues. She feels it is important to have a firm assist with the milling and resurfacing of North Second Street. City Council approved this project from North Street to Franklin Street and the project is estimated at approximately \$180,000.00.

It was noted that the Mini-Brooks Act requires the qualifications-based selection for this type of service. Entering into a three-year agreement allows the City to utilize the services of a firm without preparing a RFQ in every situation, which will save staff time and provide efficiency for each project. Their services will be provided on an as need basis, for the North Second Street project and beyond. There would be no cost to the City if their services are not utilized beyond this initial proposed use. It is recommended that the City utilize Kercher Engineering for this work.

Ms. Underwood answered any questions that Council had.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hughes, and unanimously carried, the City Council approved utilizing the services of pavement engineers with the North Second Street milling and resurfacing project as well as possible projects in the future utilizing Kercher Engineering and come back before Council with cost estimates on other projects as they occur.

The Mayor and City Council considered an agreement for the use of the former fire station on North Third Street by Central Piedmont Search and Rescue. The City Council had previously authorized the drafting of an agreement for the use of the building at 121 North Third Street. The former City Manager drafted the agreement and provided it to CPSAR for their consideration several weeks ago and CPSAR has just returned the agreement executed on their behalf and it can now be considered for approval by City Council.

The City Manager noted that it is not anticipated that CPSAR will utilize any utilities as they will only be using the southern most bay of the building for equipment storage and the office behind the day room for file storage.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved an agreement for the use of the Former Fire Station at 121 North Third Street by Central Piedmont Search and Rescue.

The Mayor and City Council received an update in the agenda materials on house demolitions. Planning and Community Development Director Keith Wolf noted that for FY 2014/2015 the City Council has approved the following structures for minimum housing code enforcement:

904 Lowder Street, 842 Woodland Street

1518 US Highway 52

112 Heath Street

January 31, 2015 was the deadline for the 3 month compliance period for the Findings of Fact and order for these properties. After that date, Mr. Luster will prepare the ordinances for the February 16 City Council agenda. Mr. Luster recommends that City Attorney Beaver review these in advance.

Mr. Luster with Centralina Council of Governments advised Keith Wolf that 1518 US 52 North is a brick structure which has experienced some severe interior vandalism; however, the damage is not extensive enough to warrant demolition. Mr. Luster will be prepared to discuss options for dealing with that property on February 16.

Also two structures from last year, 231 Concord Road and 421 Wall Street, will be included in the bid package with the current demolitions. Additionally, the Fire Department plans to do a controlled burn for the house at 507 Salisbury Avenue in the very near future.

The Mayor and City Council considered the Sale of Scrap Metal held by sealed bid on January 16, 2015. It was noted that the bid was advertised in SNAP, and the following Scrap Metal vendors were mailed a bid opportunity directly: AL Lowder, Butch's Scrap Metal, L. Gordon Iron & Metal, Gateway Recovery, Foil's, and Action Demolition & Recycling. Finance reports that the City can proceed with bid award even though one bid from Butch's Scrap Metals was received as the 3-bid rule is only mandatory for formal construction or repairs projects.

Upon a motion by Councilmember Whitley, seconded by Councilmember Hughes, and unanimously carried, the City Council approved the sale of scrap metal held by sealed bid on January 16, 2015 to Butch's Scrap Metals, the sole bidder.

The Mayor and City Council considered a resolution to support the reinstatement of the NC Historic Rehab Tax Credits.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hughes, and unanimously carried, the City Council approved a resolution to support the reinstatement of the NC Historic Rehab Tax Credits.

(Resolution 15-03. Reinstatement of the NC Historic Preservation Tax Credit Programs.)

The Mayor and City Council considered attendance at the NC League of Municipalities Town Hall Day on Wednesday, March 18.

Mayor Michael and Councilmembers Alexander, Aldridge, Hughes, Townsend, and Whitley affirmed their attendance.

The Mayor and City Council considered acceptance of a State technical assistance grant for an Alum Sludge Study in the amount of \$34,000. City Council will need to accept the grant and authorize the Mayor and staff to sign grant documents. Alum sludge is a byproduct of the water treatment process and the study will focus on how to handle the sludge produced at the Tuckertown Water Treatment Plant.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, and unanimously carried, the City Council approved acceptance of a State technical assistance grant for an Alum Sludge Study in the amount of \$34,000.

The Mayor and City Council considered approval of an extension of the purchase agreement for the Central School Property. The extension to the original sales agreement is proposed by Landmark until March 2, 2015 with the City accepting earnest money in the amount of \$5,000.

Landmark is working on the details of the sale of the property by the City and need additional time to ensure the sale occurs in a legally acceptable manner. The issue is the sale cannot occur directly from the City to Landmark, per the NC General Statutes. The conveyance is now planned to be made from the City to Preservation NC and Preservation NC will then convey the property to Landmark. This change is the reason Landmark is proposing an extension of the sales agreement.

The Mayor and City Council considered revisions to the City's Personnel Policy. The basic structure of the policy remains as submitted by the MAPS Group. The text highlighted in yellow are those changes and recommendations the City Council ask City staff to address at the November 25,

2014 meeting. The items in red are those proposed by the Mayor and or City Council.

The City Manager noted in the agenda that once the proposal is approved, the City will need to authorize the City Attorney to draft the appropriate Ordinance(s) to remove the current Personnel Policy from the Code of Ordinances and all such policies will be adopted in a resolution format. A resolution(s) will also need to be drafted adopting the City's new Personnel Policy by resolution.

The Mayor and City Council reviewed the text in yellow of changes and recommendations the City Council ask City staff to address and also reviewed items highlighted in red that was proposed by the Mayor and Council.

Mr. Whitley answered any questions that Council had.

It was the consensus of City Council not to remove any changes or recommendations that City Council had proposed and for Mr. Whitley to move forward with the highlighted changes and recommendations.

Mayor Michael excused the eighth grade students at this time.

Mayor Michael stated that City Council is invited to attend the Optimist Club meeting on Tuesday, February 3, 2015 at the First Baptist Church downtown at 6:30 pm to recognize the Youth in Governments participants.

Councilmember Aldridge thanked Chief Halliburton and his officers and their participation concerning an armed robbery at Cookout a few weeks ago.

Councilmember Townsend stated he is interested in the study for the Albemarle Hotel being displayed on the City website.

Councilmember Townsend stated he had several complaints from residents due to trash pickup at curbside. Waste Management is picking up the

trash in the containers, but extra on side of street is not being picked up in a timely manner.

Councilmember Townsend asked that everyone keep Jacquarious Kendall's family in their thoughts and prayers. He went missing and was last seen on Thursday, January 15.

Councilmember Alexander stated that he has also noticed on a street near him where old mattresses at the curb are not being picked up by Waste Management.

Councilmember Dry who is a member of the volunteer committee working toward the Wiscasset Park project asked that Parks and Recreation Director Toby Thorpe come forward and give an update on the committee.

Mr. Thorpe stated that the Parks and Recreation volunteer committee met January 21, 2015 and they added new members and replaced one of the original members. The group is stilling working on the brochure and is going to look at having a 4X8 feet sign on the fence at the Wiscasset property with site plan and who to call for more information.

Mr. Thorpe spoke of donations being tax deductible and they are looking at establishing a foundation (501c3). The committee will be looking at potential donors and seeking support and pledges from the community. The timelines are on schedule for the fundraising.

Mr. Thorpe covered the "still to do duties" by committee. They would like to have a joint meeting with City Council during the budget process. Our committee meeting will be held the last Wednesday of each month and the next meeting is February 25 at 6:30 pm.

Mayor Michael stated that Councilmember Hall is not here this evening and has a new grand baby and is visiting her daughter and new baby.

Upon a motion by Councilmember Whitley, seconded by Councilmember Hughes and unanimously carried, the meeting was adjourned to Monday, February 9, 2015 at 6:00 pm at Stanly Commons for a meeting with representatives of the Stanly County School Board to discuss possible school closures and redistricting.