

REGULAR MEETING CITY COUNCIL

March 3, 2014

The City Council of the City of Albemarle met in a regular session on Monday, March 3, 2014, 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 Sue Hall, Martha E. Hughes, and Dexter Townsend. Absent, Chris Whitley.

Mayor Michael gave the invocation.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry and unanimously carried, the minutes of the February 17 regular session, February 17 closed session, February 19 adjourned session and February 20 adjourned session minutes were approved as submitted.

The Mayor and City Council held a public hearing to consider a Map Amendment to rezone 2817 US Hwy 52 North from GHBD to R-O/Residential Office. No one spoke for or against.

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

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

(Ordinance 14-05. To rezone 2817 US Hwy 52 N from GHBD to R-O)

The Mayor and City Council held a public hearing to consider an Urban Archery Season for deer inside the City Limits. The proposed zoning will reflect the current use of the property and allow for upgrading of current facilities in the future.

Ms. Colleen Conroy, 944 North Tenth Street, came before Council stating her concerns of why she is against this ordinance. She stated that we continue to build around their habitat areas, so we are taking away from their home and food source. She asked that the City be good stewards and not pass this ordinance.

Mr. Mike Macomson, 32108 Austin Road, New London, who originally contacted Assistant City Manager Michael Ferris with this request came forward and stated the number of car accidents that were deer related in NC in 2013. He answered any questions that Council had.

Mr. Ken Knight, 32034 Valley Drive, Supervising Wildlife Biologist with the NC Wildlife Resources Commission came forward and answered any further questions that Council had.

Pastor Mitchell D. Cook, 29133 Nelson Mountain Road, stated that a lady hit a deer on the NE Connector near the Moss Springs Intersection and it did \$3,800 damage to her vehicle. He asked that Council consider passing this ordinance due to car accidents caused by deer.

Mr. Donnie A. Furr, 1007 Northbrook Drive, came before Council stated that he is not for or against this ordinance. He stated that the City could plant clover near the sewer lines to feed the deer. He stated if the ordinance is passed not to extend the season from mid-January to mid February.

Mayor Michael asked that Assistant City Manager Michael Ferris come forward to speak concerning his draft of the ordinance. Mr. Ferris stated that he researched other town ordinances concerning this issue and incorporated what he feels would if passed, allow safer shooting of a bow and arrow in the City.

He stated that deer archery must be from a permanent or portable-elevated platform of at least 10 feet above ground, areas of consent must be greater than 5 acres in area, no arrow shall be discharged within 500 feet of any residential dwelling, church, commercial building, governmental property, occupied structure, street, park, or other recreational area, and no arrow be discharged within 250 feet of the perimeter of the area of consent.

He stated that hunters must make every reasonable effort to track wounded deer and valid hunting must be in effect for which the hunting license applies at the time the bow or crossbow is discharged, the hunter adheres to all applicable State and Local regulations, and the person discharging the bow or crossbow exercises reasonable regard for the safety and property of other persons.

Councilmember Townsend requested that if Council is considering taking any action, to do this on a trial basis first and do for 5 weeks only. Councilmembers Dry and Hughes concurred with Councilmember Townsend on this.

Councilmember Hall moved to close the public hearing. Councilmember Dry seconded the motion. Voting to close the public hearing were Councilmembers Alexander, Aldridge, Dry, Hall, and Hughes. Voting not to close the public hearing was Councilmember Townsend. The public hearing was closed.

Councilmember Hall moved that Council approve the ordinance as presented for regular hunting season from September – January 1 and urban archery season from mid-January to mid-February. Councilmember Alexander seconded the motion. Councilmember Townsend offered a substitute motion to approve bow hunting for deer only during urban archery season which is mid-January to mid-February on a trial basis. Councilmember Dry seconded the motion. Voting for the motion were Councilmembers Aldridge, Dry, Hughes, and Townsend. Voting against the motion were Councilmembers Alexander and Hall. The motion carried.

Ordinance entitled (Ordinance 14-06) “AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, CONCERNING AN AMENDMENT TO THE ORDINANCE PROHIBITING THE SHOOTING OF A BOW AND ARROW IN THE CITY OF ALBEMARLE UNDER CHAPTER 82, SECTION 34: FIREARMS AND FIREWORKS,” passed first reading as amended.

Mr. Tom Hearne, 402 Woodcrest Lane came before City Council to discuss solar photovoltaic project.

Mr. Hearne would like to install a solar PV system at the home he is renovating, and does not feel that the current kilowatt per hour payment and Renewable Energy Credit payment he would receive from the City are adequate. He would like for the City to adopt a net metering policy such as is provided by the investor owned utilities. Mr. Andy Fusco from Electricities made a presentation to

Council on November 4, 2013 to educate Council about this issue. It was noted that we are not aware of any municipally owned utilities in North Carolina that offer net metering. However, ElectriCities is working on a draft policy to address this for interested members.

Mr. Hearne came before City Council and gave a Power Point presentation and answered any questions that Council had. Council thanked Mr. Hearne and commended all of his hard work on this issue.

Councilmember Hughes stated that Council should consider having ElectriCities come here to give a presentation considering residential solar systems.

Mayor Michael stated that staff will contact ElectriCities for an appointment to come and address this issue.

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 acceptance of bids for Phase II HVAC Replacement in the Department of Public Housing and award contract to Central Builders, Inc. Bids for the HVAC replacement project at Amhurst Gardens were received and publicly opened on February 18, 2014. The apparent low bidder was Central Builders, Inc. of Rocky Mount, NC with a total base bid of 269,269.00, which is less than what we estimated, would be the cost of this project.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall and unanimously carried, the City Council approved Central Builders, Inc. low bidder for Phase II HVAC replacement in the Department of Public Housing with a total base bid of 269,269.00.

The Mayor and City Council considered setting public hearing for a text amendment to allow greater density in the R-8A Zoning District for

redevelopment and /or revitalization projects. This amendment was recommended by the Planning and Zoning Board at its meeting on February 25. This text amendment will decrease the square footage per dwelling unit for the R8-A Residential Mullet-family category to 4,000 square feet for the first unit and 1,900 square feet of land for each additional unit if a project involves rehabilitation of existing structure(s) for which increased density is necessary to make redevelopment and/or revitalization of a site financially feasible.

Planning and Community Development Director Keith Wolf stated that this change would allow greater density (more dwelling units per acre) than is normally allowed when an existing building is being redeveloped for a new use instead of being torn down. This will make it possible to retain some of the character of the community.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry and unanimously carried, the City Council approved setting a public hearing for Monday, April 7, 2014 to consider a text amendment to allow greater density in the R-8A Zoning District for redevelopment and /or revitalization projects.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hughes and unanimously carried, the City Council approved the following ordinance. The map change is in compliance with the Land Use Plan.

(Ordinance 14-07. To appropriate funds to purchase the old Central School and move landfill funds from operations to debt service)

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved the following ordinance. The map change is in compliance with the Land Use Plan.

(Ordinance 14-08. To appropriate funds from the EQ project to US Hwy 52 WTP Rehabilitation Project)

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the City Council approved the following ordinance. The map change is in compliance with the Land Use Plan.

(Ordinance 14-09. To designate funds from intra-fund transfers and reduce the amount the City borrows from either DENR or other means for the project)

The Mayor and City Council reviewed the update on plans for the Spruce Up - Clean Up scheduled for April 7-12, 2014 by the Community Appearance Commission. Planning and Community Development Director Keith Wolf noted that the Appearance Commission agreed on the idea to offer free hotdogs and soft drinks to anyone who has participated in the clean up during the week. The Hotdog Lunch will be served from 12:00 noon until 2:00 pm on Saturday, April 12, 2014. Another suggestion is to have a questionnaire available at the cookout to identify who cleaned up what areas so that staff could send a letter thanking them for their time and willingness to help keep the City of Albemarle clean. The list could be kept as a database of information for the next clean up.

Mr. Wolf stated that the Community Appearance Commission extends an invitation to City Council to participate with Commission Members with the hotdog cookout on that Saturday. One or more grills will be needed on that day. The Commission will not plan a contest for this year and may consider that idea in the future when they have more time to work on the details. The Planning Department can provide food and supplies.

It was the consensus of Council to have this cookout at the back of the Jesse Niven Center and if it rains to come inside in the Assembly Hall.

The Mayor and City Council considered setting a date for the ribbon cutting for Phase 3 of the Roger F. Snyder Greenway. The Parks and Recreation Department has recommended this for Monday, March 31 at 6:00 p.m. and take

place at the trail head on the north side of Salisbury Avenue, with parking on the south side of Salisbury Avenue next to the existing greenway.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry and unanimously carried, the City Council approved the ribbon cutting of Phase 3 of the Roger F. Snyder Greenway for Monday, March 31 at 6:00 p.m. and to take place at the trail head on the north side of Salisbury Avenue, with parking on the south side of Salisbury Avenue next to the existing greenway.

The Mayor and City Council were reminded of the Councilmember Orientation session that will start at City Hall on Wednesday, March 12 at 12:30 pm. This will complete the orientation and tours that were interrupted by inclement weather on February 12. The visit will include the landfill and the Public Utilities facilities, including the two water plants, Old Whitney pump station and the sewer plant. Please wear comfortable clothing and walking shoes.

The Mayor and City Council were reminded of the Albemarle Business Development Task Force meeting which will take place in the Community Room at City Hall at 6:00 pm on Tuesday, March 4. There will be sandwiches served at 5:30 pm.

Councilmember Alexander stated that there is a problem at the corner of Montgomery Avenue and Second Street where the stoplight was removed. When the Catholic Church has services, you cannot see when it is safe to turn.

Upon questioning of Mayor Michael to Public Works Director Nina Underwood, she stated that the sign has been placed there on Second Street but she will check into this.

Councilmember Dry said at the intersection of the Old Charlotte Road and US Hwy. 52, there is tractor trailers parked there and it is an eyesore. He asked who owns the trailers. Planning and Community Development Director Keith Wolf stated that the vacant lot did belong to Wilson Farm Supply.

Councilmember Dry congratulated the Albemarle Bulldogs as they move into regional tournaments. He mentioned John David Moose who had been past president of C&A's Automotive Division, passed away Saturday and gave thanks and prayers to his family.

Councilmember Hall stated that she will not be able to attend the Business Development Task Force meeting on Tuesday, March 4.

Councilmember Hall stated that she attended the General Government Legislation Action Committee meeting today in Raleigh and she brought back a packet of information and gave this to the City Manager for Council to review.

Councilmember Townsend commended the Fire Chief and his staff along with Public Housing Director Cedric Baldwin and his staff and the American Red Cross for this past Friday's event.

Councilmember Townsend stated that he is having a meeting with District 1 residents and any citizens that would like to attend. He does this twice a year and gives an update on City Hall issues and gets their input.

Councilmember Townsend stated that he will not be able to attend the ribbon cutting on March 31 for Phase 3 of the Greenway due to the meeting at the EE Waddell Community Center.

Councilmember Hughes stated that she enjoyed the COG meeting last Tuesday which was held in Stanfield this month. It is nice to talk with Councils across the County and see what they are doing.

Councilmember Aldridge stated that he had some residents ask him if the City regulated the speed near the YMCA on 1st Street. It is 35 mph there and maybe should be less. The Mayor stated that 1st Street is State maintained. He also stated that the City Manager can take the information provided by Council and go to NCDOT with a request.

The Mayor introduced the new Public Utilities Director Mike Leonas and asked him to come forward. Mr. Leonas stated that his time here so far had been like a whirlwind with Assistant Public Utilities Director Judy Redwine keeping him focused. He also said that he is proud to be a part of the Albemarle Public Utilities Department and thanked everyone for their support in giving him this opportunity and he will strive to meet their expectations.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge and unanimously carried, the meeting was adjourned until Thursday, March 13, 2014 at 6:00 pm.