

REGULAR MEETING CITY COUNCIL

May 5, 2014

The City Council of the City of Albemarle met in a regular session on Monday, May 5, 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, Dexter Townsend, and Chris Whitley. Absent none.

Mayor Michael gave the invocation.

Mayor Michael stated that Rex Todd, Consultant, Landmark Group was killed in a car accident in the Raleigh area and his wife, the former Garner City Manager, is still in the hospital.

Mr. Todd is the consultant that worked with the Albemarle City Council on the Central Elementary School project. The Landmark Group will continue with this project in honor of Mr. Todd. The City Manager stated that he was contacted on Monday of last week by Will Warren with Landmark who assured the City that Mr. Todd's death would not affect Landmark's commitment to this project, and that in fact the company had a strong desire to continue with the project because Mr. Todd was so committed to it.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry and unanimously carried, the minutes of the April 16 adjourned session and April 21 regular session minutes were approved as submitted.

Mayor Michael stated that there are two agenda adjustments:

- 1) Introduction of the Stanly/Montgomery home school students.

Mayor Michael asked each student to sit beside of a Councilmember to observe and each stated their name and age.

2) Dr. Nalin Mehta – waiver of fees for a conditional permit for an adult day care to be presented at the end of the agenda this evening.

Mr. Jim Wilhelm, 2913 Greenwood Park Circle, came before City Council to request a 35mph speed limit be lowered to 20 or 25 mph. Council received a map and petition from Mr. Wilhelm signed by a majority of his neighbors requesting the speed limit change. He stated there are 22 houses in his subdivision and he has signatures from 19 of the 22 households.

The City Manager noted that the City tries to maintain the standard state wide 35 mph speed limit for residential streets to avoid confusion for motorists. However, Greenwood Park Circle is a closed subdivision, which means it would be eligible for a 25 mph speed limit if the request meets the criteria and this is approved by City Council. The residents would be required to pay for the speed limit signs at each entrance and \$200 toward the cost of ordinance preparation.

Mr. Wilhelm answered any questions that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley and unanimously carried, the City Council approved lowering the speed limit on Greenwood Park Circle from 35 mph to 25 mph and the residents paying \$200 toward the cost of ordinance preparation and the cost of the signs at the entrance to the subdivision.

Mr. Roddrick Howell came before City Council as an unannounced delegation. He asked Council about a policy concerning painting the utility poles. Mayor Michael stated that currently this is not allowed but Mr. Howell can make a proposal to the Community Appearance Commission and they can decide whether to come before Council with this request. He asked Mr. Howell to contact Planning and Community Development Director Keith Wolf concerning the Community Appearance Commission.

Mr. Howell stated that he is aware of the gang eradication and would like to know the policies and procedures the City is using in helping to bring these gang members back into society.

Mayor Michael asked Mr. Howell to contact Shanta Watkins in the Albemarle Police Department who handles the Call-Ins and she should be able to explain this to him.

Mr. Chuck Nance came before City Council as an unannounced delegation concerning electronic video sweepstakes license. He is asking why other cities are continuing with electronic video sweepstakes license and Albemarle is not. He believes with the new software of pre-reveal it does not violate the NC law. Albemarle is losing out on privilege license fees and tax on the computer machines of these types of businesses. He asked if there is a possibility the City of Albemarle will be selling privilege license for electronic sweepstakes video in the near future.

Mayor Michael asked that Mr. Nance talk to Police Chief Halliburton concerning the legality of this issue and the City will need to get guidelines from the District Attorney and then get back with him.

Upon questioning, Councilmember Hall stated that she would like for staff to contact the League of Municipalities and also the District Attorney for direction in this matter.

The City Manager stated that staff will contact the UNC School of Government and other surrounding municipalities to see how they are handling this matter.

The Mayor stated that Council had a copy of the municipal calendar in their agenda packets and asked if anyone had any questions.

Mayor Michael stated that due to certain issues the budget work session for Wednesday, May 7 will need to be rescheduled for some time next

week. Also, Council needs to vote on setting a public hearing for FY 2014 - 2015 Budget approval.

Upon a motion by Councilmember Dry, seconded by Councilmember Alexander and unanimously carried, the City Council approved moving the Wednesday, May 7 budget work session until Thursday, May 15 at City Hall beginning at 6 pm.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry and unanimously carried, the City Council approved setting public hearing for the FY 2014-2015 budget on Monday, June 2, 2014 at 7 pm.

The Mayor stated that with late arrival of information and computer system repairs, the City Manager will not have a presentation this evening on the FY2014-15 budget but will have a presentation on Thursday, May 8 at the budget work session at 6 pm at City Hall.

The Mayor and City Council considered approval of the Albemarle Central School Apartments Project as a redevelopment project which will allow the 53 apartment units proposed for the project.

Ordinance 14-12 requires the approval of City Council to allow the increased density for projects involving rehabilitation of existing structures for which increased density is necessary to make redevelopment and/or revitalization of a site financially feasible. When a redevelopment project is approved by Council, the required square feet per dwelling unit can be 4,000 square feet for the first unit and 1,900 square feet for each additional unit. This would allow 54.6 apartments on the property. The Landmark Asset Services, Inc. is planning to construct a maximum of 53 apartments and this is less than the maximum number allowed.

Upon a motion by Councilmember Alexander, seconded by Councilmember Whitley and unanimously carried, the City Council approved Albemarle Central School Apartments Project as a redevelopment project which will allow the 53 apartment units proposed for the project.

The Mayor and City Council considered letters of support to the legislative delegation regarding Main Street Solutions Fund and Replacement for

NC Historic Tax Credit. It was noted that the Governor announced last week that he is including a \$500,000 appropriation for the Main Street Solutions Fund in his proposed budget, and that he is supporting legislation to replace the NC State Historic Tax Credits which are set to sunset. The NC Main Street Center is asking communities to support these initiatives with their legislative delegations.

ADDC Executive Director Shannon Johnson came forward and covered information pertaining to historic tax credits, the Main Street Solutions Fund (MSSF), and the economic impact of Main Street in NC. The NC Main Street Center is asking communities to support these initiatives with their legislative delegations.

Ms. Johnson answered any questions that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry and unanimously carried, the City Council approved letters of support to the legislative delegation regarding the Main Street Solutions Fund and Replacement for NC Historic Tax Credit.

The Mayor and City Council received a report on the donation drop boxes issue. It was noted that Assistant City Manager Michael Ferris, Planning and Community Development Director Keith Wolf and the City Manager met with Pastor Roger Thomas of Stanly Community Christian Ministries on April 29 to discuss potential amendments to this ordinance. SCCM is evaluating whether or not to request an ordinance change since to do so would open up more opportunities for other non Stanly County organizations to compete for donated articles.

Also, they are considering other options such as applying for a conditional use permit to install a donation drop box at the Community Table which would give them a second location in the City to accept donated items. They are also considering using the donation boxes in other parts of the County such as southern or northern Stanly County to provide more convenient opportunities for non City residents to donate items to SCCM.

If they decide to place a drop box on South 1st Street at the Community table, they will request a conditional use permit and if they use wooden boxes, they will have to be approved. They also are considering placing drop boxes outside of the City in the southern, western, or eastern part of Stanly County.

The Mayor and City Council considered an Agency Plan Update for the FY2010 – FY2014 Five Year Agency Plan and FY2014 Annual Update in the Department of Public Housing. There is a 45 day review of the agency plan required with notice of a public hearing for comments. The notice was published in the legal section of the Stanly News & Press on February 25, March 16, and April 13, 2014. The public hearing was held at 5:00 pm on April 17, 2014 in the community room at 300 South Bell Avenue. Policy updates and the 2014 Capital Fund Budget were provided. The board resolution will need to be approved by City Council and submitted to HUD.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall and unanimously carried, the City Council approved Agency Plan Update for the FY2010 – FY2014 Five Year Agency Plan and FY2014 Annual Update.

(Resolution 14-11. PHA Certification of Compliance by the US Dept. of HUD.)

Councilmember Dry moved to approved Ordinance 14-16, to enact a No Parking Zone on a portion of Commerce Street. Councilmember Aldridge seconded the motion. Voting for the motion were Councilmembers Aldridge, Alexander, Hall, Hughes, and Whitley. Voting against the motion were Councilmembers Dry and Townsend. The motion carried with a 5-2 vote.

(Ordinance 14-16. To enact a No Parking Zone on a portion of Commerce Street.)

The Mayor and City Council considered a contract with Envirolink, Inc. for Program Management of the Backflow Prevention / Cross Connection Control and the Fats, Oil, & Grease Control Programs. It was noted that the service contract for the first year was budgeted in the FY13-14 for \$27,000. It is the intent of the PUD to request funding for years 2-5 in the future budget cycles at a level of \$24,000 per year. The services provided by the contract offer significant savings to the City in avoiding the personnel costs of hiring additional staff as well as additional equipment and resources to manage and operate the programs.

Mr. Michael Meyers with Envirolink, Inc. came before Council and gave a PowerPoint presentation and answered any questions that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Alexander and unanimously carried, the City Council approved a contract agreement with Envirolink, Inc. for Program Management of the Backflow Prevention / Cross Connection Control and the Fats, Oil, & Grease Control Programs.

The Mayor and City Council received information that Public Works Director Nina Underwood has graduated from the Municipal Administration Course at the UNC School of Government. The City Manager stated that he would like to congratulate Nina Underwood for completing and graduating from this course. Council reviewed a copy of the news release from the UNC School of Government.

The Mayor and City Council received a thank you letter regarding the Public Works Streets Division. The City Manager noted that he had received a letter this week complimenting the Public Works Department on the mowing of the NCDOT right of way on US Hwy 52 and on the care they take in keeping the sidewalks in this area clear. The City Council was approved for the Public Works Department to mow the NCDOT rights of way in the City about a year ago due to the numerous complaints we received as to how DOT was maintaining their rights of way.

The Mayor and City Council were reminded of the ElectriCities Regional Meeting. This meeting will take place at 6:00 p.m. on Tuesday, May 13 in the Great Wolf Lodge in Concord. Anyone who would like to vanpool to the meeting should meet in the City Hall parking lot at 5:00 p.m.

The Mayor and City Council were reminded of the Stanly County Chamber of Commerce Legislative Breakfast which will be at 7:15 am on

Monday, May 12 at Stanly Regional Medical Center. Mayor Michael, Mayor Pro Tem Alexander, and Councilmembers Hall and Townsend are signed up for this event.

The Mayor and City Council were reminded of the City Employee Cookout. This event will take place from 11:00 a.m. to 1:00 p.m. on Thursday, May 15 at City Lake Park. All City employees, Mayor and members of City Council, retired employees and members of standing City boards and commissions are invited to this event. Attendees can come any time between 11 am and 1 pm for a hamburger/hot dog lunch.

Dr. Nalin Mehta came before Council concerning an application he had submitted today to the Planning and Community Development Department. He is asking Council to waive the \$400 fee concerning his application for a zoning text amendment change to allow an adult day care center at 500 North 1st Street. He will have to go before the Zoning Board of Adjustment for his request.

Dr. Mehta answered any questions that Council had.

Upon a motion by Councilmember Alexander, seconded by Councilmember Dry and unanimously carried, the City Council approved waiving the \$400 application fee for a petition zoning text amendment change to allow an adult day care center at 500 North 1st Street.

Mayor Michael stated that the City and County staff for the Business Development Task Force will meet in the Community Room at City Hall Tuesday, May 6 and the Business Development Task Force will meet Wednesday, May 7 and Thursday, May 8 and will present the results at their meeting on Tuesday, May 20 at 6 pm.

Councilmember Dry congratulated Public Works Director Nina Underwood on completing the Municipal Administration Course at the UNC School of Government.

Councilmember Whitley stated his condolences for the Rex Todd family.

Councilmember Hall stated that the Beach Blast this past Saturday was good but could have had more attendance. She also thanked the Police Department, Public Works Department and the Fire Department.

Councilmember Townsend stated that one of public housing's residents, Denico Autry, is a possible candidate for the 2014 NFL Draft. He is predicted to be selected in the 5th round.

Councilmember Hughes asked about the sidewalk project on Leonard Avenue. The City Manager stated that the City is still waiting on NCDOT for the agreement.

Councilmember Aldridge thanked Fire Chief Oke and his staff for the training given to Council last Thursday, May 1 and he looks forward to participating in the burn on Saturday, May 10, 2014.

He also congratulated Public Works Director Nina Underwood on completing the Municipal Administration Course at the UNC School of Government.

Upon a motion by Councilmember Dry, seconded by Councilmember Townsend and unanimously carried, the meeting was adjourned until Thursday, May 8 for a budget work session at City Hall in the Executive Conference Room beginning at 6 pm.