

REGULAR MEETING CITY COUNCIL  
June 17, 2013

The City Council of the City of Albemarle met in a regular session on Monday, June 17, 2013, at 6:00 p.m. in the City Hall. Mayor Elbert L. “Whit” Whitley presided, and the following Councilmembers were present to-wit: Troy E. Alexander, Martha Sue Hall, Judy U. Holcomb, Ronnie Michael, Jack F. Neel, Dexter Townsend, and T. Ed Underwood. Absent, none.

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Mayor Whitley called the meeting to order.

Mayor Whitley spoke of the microburst that came through Albemarle on Thursday, June 13 and applauded the City in coming together whether it be neighbor, churches, etc. He commended all the City employees for their service in this catastrophe.

The City Manager gave a brief summary of what a microburst is and the need of budget amendments for storm damage and cleanup. He also stated that he has met with County and State emergency officials and is hopeful of either a State or a State and Federal disaster declaration. These declarations would provide the City with financial assistance for handling debris removal. The City Manager asked that Council consider an adjourned session before June 30 to discuss storm management.

The City Manager stated that the City of High Point, the City of Wake Forest, the City of Wilson, Pike Electric, Lee Electric, and Asplundh are here working plus City employees in water/sewer, electric, finance, fire, police, and public works have been answering the phones the last four days. Initially all 12,500 customers were out of power Thursday evening when the storm hit.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the City Council approved the authority be given to City Manager Raymond Allen in issuing a Request for Proposal (RFP) for storm debris.

Upon a motion by Councilmember Michael, seconded by Councilmember Alexander, and unanimously carried, an Ordinance entitled (Ordinance 13-30) “AN ORDINANCE TO AMEND FY 2012-13 BUDGET, passed first reading.

Upon a motion by Councilmember Michael, seconded by Councilmember Alexander, and unanimously carried, an Ordinance entitled (Ordinance 13-31) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, ADOPTING A SPECIAL REVENUE ORDINANCE RELATING TO THE STORM RELATED DISASTER OF JUNE 13, 2013, passed first reading.

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Upon a motion by Councilmember Holcomb, seconded by Councilmember Townsend and unanimously carried, the minutes of the June 3 regular session were approved as submitted.

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A public hearing was held to Consider a conditional use permit to allow an electric delivery station at 690 Central Avenue. No one from the public spoke for or against this matter.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the public hearing was closed.

Upon a request by Councilmember Alexander, the Mayor reopened the public hearing for questions. City Manager Raymond Allen was sworn in by Mayor Whitley to explain information about this hearing to Council.

Upon questioning, the City Manager stated that at present, all of the City's power cannot be handled by one of its two current delivery points alone. By adding a third substation, this will allow two of the three to be able to carry the City's power load if a third system is down.

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

The City Council considered the following finding of facts as read aloud by Mayor Whitley:

1) Upon a motion by Councilmember Alexander, seconded by Councilmember Michael and unanimously carried, 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.

2) Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the use meets all required conditions and specifications.

3) Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.

4) Upon a motion by Councilmember Townsend, seconded by Councilmember Holcomb and unanimously carried, 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 Hall, seconded by Councilmember Alexander and unanimously carried, the following resolution was adopted:

(Resolution 13-13 – To grant a Conditional Use Permit to an electric delivery system at 690 Central Avenue)

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Mr. Ben Clawson, Municipal Engineering came before Council as an announced delegation to present results of the biosolids handling study, which was funded 50% by the NC Rural Center.

Mr. Clawson gave a background on bio-solids handling at the LCWWTP and existing facilities for bio-solids handling. From the study, three feasible alternatives were looked at in improving the biosolids facilities at LCWWTP and the advantages, disadvantages, and costs of the alternatives listed below:

- 1) To construct a mechanical belt press within the existing sludge handling building
- 2) To construct a screw press within the existing sludge handling building
- 3) To construct a larger centrifuge within the existing sludge handling building

Mr. Clawson in his conclusions and recommendations stated that it is recommended that the City of Albemarle begin use of the existing centrifuge to help offset some of the high costs of handling the 4-5% solids to the Rocky River Wastewater Treatment Plant, providing a short term cost savings. But, ultimately it is recommended to choose alternate 2, constructing a screw press, which shows a potential yearly savings of approximately \$159,967 over the current method of sludge disposal utilized by the City.

Mr. Clawson answered any questions that Council had.

City Manager Raymond Allen recommended the City wait for the hiring of the new Public Utilities Director and also due to other projects currently in progress such as the headworks project, and the Old Whitney rehabilitation project before making any decisions regarding these recommendations..

Upon a motion by Councilmember Hall, seconded by Councilmember Michael and unanimously carried, the City Council received and accepted the Long Creek WWTP Bio-Solids Treatment and Handling Study for consideration, given by Mr. Ben Clawson with Municipal Engineering.

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Ms. Kathy Almond, Executive Director, ADDC came before Council as an announced delegation to present recommendations from the ADDC Board of Directors for ADDC board vacancies. One is to appoint Nancy Lipe to an unexpired term that ends in 2015, and Nancy Joines to a three year term ending in 2016.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the following reappointments were made to the ADDC Board of Directors:

New appointments:

Nancy Lipe (3 yr. unexpired term , July 2015) for Catherine Spence McIntyre  
Nancy Joines (3 yr. unexpired term , July 2016)

Ms. Almond stated that there is one more three year term to fill for Gina Martin and she will come back before Council with this recommendation.

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Mayor Whitley noted that the monthly administrative reports were in the agenda package.

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The Mayor and City Council received a Monthly Report from City Attorney David Beaver.

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Upon a motion by Councilmember Holcomb, seconded by Councilmember Townsend and unanimously carried, Ordinance 13-23 passed second reading and was duly adopted:

(Ordinance 13-23. To allow crematories as a permitted use in the GHBD.)

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, Ordinance 13-23 passed second reading and was duly adopted:

(Ordinance 13-24. To rezone 805 West Main Street to Residential Office District (R/O).)

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, Ordinance 13-23 passed second reading and was duly adopted:

(Ordinance 13-25. To rezone 1919 West Main Street to General Highway Business District (GHBD).)

Upon a motion by Councilmember Hall, seconded by Councilmember Michael and unanimously carried, Ordinance 13-23 passed second reading and was duly adopted:

(Ordinance 13-26. To appropriate revenue from 2011-12 fund balance and to appropriate for unanticipated rental of equipment to administration/operations.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall and unanimously carried, Ordinance 13-27 passed second reading and was duly adopted:

Ordinance 13-27. To appropriate Fund Balance and adjust for receiving less HAP money but greater expenditures in the Section 8 program and to appropriate Fund Balance in W/S fund for Waste Water Treatment Plant Project.)

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, Ordinance 13-23 passed second reading and was duly adopted:

(Ordinance 13-28. to amend Grant Ordinance 09-39 for a grant project ordinance relating to improvements at the Long Creek Wastewater Treatment Plant.)

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Upon a motion by Councilmember Hall, seconded by Councilmember Michael and unanimously carried, the City Council decided to wait until after the adjourned session on June 28 to vote on Fiscal Year Budget Ordinance 13-18.

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The Mayor and City Council considered appointments to the Housing Board of Appeals. The appointments to the Housing Board of Appeals was held over from the June 3 Council meeting.

Upon a motion by Councilmember Michael, seconded by Councilmember Hall and unanimously carried, the following new appointment was made to the Hosuing Board of Appeals:

Sheila Kendrick (3 yr term expiring July 2016)

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the following new appointment was made to the Housing Board of Appeals:

Cavin Holbrook (3 yr term expiring July 2016)

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The Mayor and City Council considered an approval of Bid 2013-11 for rehabilitation of the Old Whitney Raw Water Pump Station. Council received the recommendation of award from LKC, bid tabulation, and other accompanying documents. It was noted that Wharton Smith is the low bidder at \$1,155,490 which is more than \$200,000 less than the engineering estimates.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the City Council approved the low bid of \$1,155,490 with Wharton Smith for rehabilitation of Old Whitney Raw Water Pump Station.

(Bid 2013-11)

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The Mayor and City Council considered setting a public hearing for the financing of the Old Whitney Pump Station rehabilitation for July 1. The construction bids came in and the City is currently seeking bank financing. It was noted that the financing bids will be brought to Council next meeting for approval after this public hearing. This public hearing is required by the Local Government Commission. The amount to be borrowed is \$1,545,000 for a term of seven years.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the City Council set public hearing to consider the financing of the Old Whitney Pump Station rehabilitation for July 1.

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The Mayor and City Council considered setting a public hearing for the Concord Kannapolis Albemarle (CKA) Waterline Financing for July 1, 2013. It was noted that the City has negotiated financing with BB&T. The other lending institutions do not provide bank financing for the length of term we were seeking, which is between 15-20 years. The Public Hearing is a requirement of the Local Government Commission. The construction bids for the project were taken on June 4, 2013 and overall the bids came in about \$1 million less than engineer's estimates. The construction bids will be awarded by the City of Concord which is how it was set up in the interlocal agreement between Concord, Kannapolis and Albemarle.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Alexander and unanimously carried, the City Council set public hearing to consider the Concord Kannapolis Albemarle (CKA) Waterline Financing for July 1, 2013.

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The Mayor and City Council received information concerning the Firehouse Subs Public Safety Foundation Grant. The Albemarle Police Department is requesting a non-matching grant award from the Firehouse Subs Public Safety Foundation for the purchase of ten (10) XP III A Tactical vests. These vests are worn by Special Operations members who serve high risk warrants and other high risk operations. Firehouse Subs partners with local law enforcement agencies across the country. These grants allow departments such as Albemarle Police Department to purchase these types of items that are required of such units but due to budgetary restraints over the past few years these items are only available through such grant programs. The total grant requested with no match is 16,514.00 dollars.

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The Mayor and City Council considered grant acceptance of the Stanly Albemarle Gang Eradication-2013. The Governor's Crime Commission has awarded this grant for 2013. It was noted that this will be the second year in a row that the Albemarle Police Department has been selected for this grant. Chief Halliburton has advised that Commission members spent countless hours considering each application in an effort to select programs and projects that will best serve the citizens of this state. He also noted that the citizens of Albemarle should be very honored that through their community efforts in supporting this program that Albemarle has received funding for this project a second year.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Townsend and unanimously carried, the City Council approved acceptance of the grant for the Stanly Albemarle Gang Eradication-2013.

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Upon a motion by Councilmember Hall, seconded by Councilmember Neel and unanimously carried, the following resolution was adopted:

(Resolution 13-14 – To adopt landfill fees)



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Upon a motion by Councilmember Alexander, seconded by Councilmember Holcomb and unanimously carried, the following resolution was adopted:

(Resolution 13-15 – To adopt street assessment fees.)

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Upon a motion by Councilmember Hall, seconded by Councilmember Alexander, and unanimously carried, an Ordinance entitled (Ordinance 13-29) “AN ORDINANCE TO AMEND FY 2012-13 BUDGET, passed first reading.

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The Mayor and City Council received a report on the sale of surplus property. It was noted that this is a report that is provided in June for sales of surplus property for the prior twelve months. This report was compiled by Purchasing Coordinator Linda Lewis.

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The Mayor and City Council considered approval of a street closure request for Tour de Elvis IV August 16 and 17, 2013. The Tour de Elvis 5K and Bicycle Tour will take place again this year on August 16 (5K) and August 17 (Bicycle Tour). Parks and Recreation Director Toby Thorpe stated that we do not technically close any streets, but will close one lane of US 52 (with NCDOT approval) for about 5 minutes at the beginning of the run. On NC 73 City police will escort the cyclists to the City limits, and then the Sheriff's Department will escort them to Hatley Farm Road where they turn off NC 73.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the City Council approved a street closure request for Tour de Elvis IV on August 16 and 17, 2013.

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The Mayor and City Council considered a request to close streets for the Forest Hills Independence Day Parade for Thursday, July 4 as in previous

years. Streets to be closed between 9:30 am until 12:30 pm are Azalea Drive, Park Lane, portions of McGill, Seventh, Eighth and Cannon per map.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the City Council approved a request to close streets for the Forest Hills Independence Day Parade for Thursday, July 4. Streets to be closed between 9:30 am until 12:30 pm are Azalea Drive, Park Lane, portions of McGill, Seventh, Eighth and Cannon.

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The Mayor and City Council considered proclamation recognizing Carrie Lyerly Day on June 30, 2013. Councilmember Townsend requested that this proclamation be drafted for City Council's consideration.

Upon a motion by Councilmember Townsend, seconded by Councilmember Underwood and unanimously carried, the City Council approved a proclamation recognizing Ms. Carrie Lyerly.

(Proclamation)

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The Mayor and City Council considered a reduction in copying charges. The City Manager noted that copy costs have dropped even lower in recent years due to copier technology. NC law does not allow you to charge more than the cost of the actual copy and you cannot include staff time to make copies. He recommends that we change these charges to five cents per copy for black and white, and ten cents per copy for color. This will recover all of our copy costs including copying and paper.

Upon a motion by Councilmember Hall, seconded by Councilmember Michael and unanimously carried, the City Council approved a reduction in copying charges to five cents per copy for black and white, and ten cents per copy for color.

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The Mayor and City Council were reminded of the ADDC Volunteer Appreciation Event at Market Station on Tuesday, June 25 at 6:00 pm.

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The Mayor and City Council were informed about the Albemarle Parks and Recreation receiving a TRACK Trail Grant. Albemarle Parks and Recreation has been selected as one of ten local parks and recreation departments in the state to receive a TRACK Trail grant through NCRPA, the Blue Ridge Parkway Foundation, and the Blue Cross/Blue Shield Foundation. It was noted that this non-cash grant is valued at \$7,500 and provides signage, brochures, publicity, and inclusion on the national TRACK Trail website and registry to include trails at City Lake Park as part of the program. No cash match is required, and the City's only requirements are to buy the lumber for the kiosk, mount the signage on the kiosk, and make sure the trail is marked.

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The Mayor and City Council were informed of the City sponsored blood drive at Fire Station One/East Community Police on Wednesday, June 19 from 11:00 am to 3:00 pm.

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The Mayor and City Council established Friday, June 28 at 5pm in City Hall for the adjourned session meeting to discuss storm damage maintenance and the FY 2013-14 Budget Ordinance approval.

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Councilmember Michael reminded Council to make a list of nuisance properties in the City to give to Planning and Community Development Director Keith Wolf to consider.

Councilmember Michael asked where the City is presently in using credit cards at the Landfill.

Finance Director Colleen Conroy came before Council and stated that we have been discussing being able to accept credit cards at the Landfill and also for events with the Parks and Recreation department. She stated that she will place this as a priority and get back with Council on her results.

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Councilmember Holcomb thanked all City employees for their diligent work during the storm.

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Councilmember Townsend stated that he has concerns about the traffic near Anderson Grove Baptist Church and their Life Center across the street. We may need to use extra signage and asked that Council consider a way to help out in this situation with the extra traffic on this street.

The City Manager stated that this is a NC State road and the State would be responsible for the signage.

Councilmember Townsend thanked the City of High Point, City of Wilson, City of Wake Forest, Asplundh, and Lee Electric for their aid during the storm on June 13.

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Councilmember Hall echoed all the thanks that was previously mentioned by the Councilmembers.

Councilmember asked Parks and Recreation Director Toby Thorpe to give updates on upcoming events by his department.

Mr. Thorpe came forward and stated that the 50<sup>th</sup> Year Anniversary is coming up on Saturday, June 29 at City Lake Park. There is no admission and everyone is invited. Mr. Thorpe also stated that he is getting ready to do a promotion on the radio tomorrow concerning this event and placing this in the Stanly News and Press.

Mr. Thorpe also gave an update of events for Thursdays at the Station.

Councilmember Hall asked for an update on James Luster not having bids for the four properties in the City to be demolished. The City Manager stated that this will be separated into four separate bids and we are hoping to have this completed by mid-July.

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Councilmember Alexander asked why the State did not repave from McDonalds to Pee Dee Avenue due to this section of road being fairly rough. The City Manager stated that he does not have an answer of why they did not pave that area.

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Upon a motion by Councilmember Hall, seconded by Councilmember Alexander and unanimously carried, the Mayor and City Council adjourned to a Closed Session pursuant to NCGS 143.318.11(a) 3 to consult with the City Attorney.

Upon a motion by Councilmember Neel, seconded by Councilmember Alexander and unanimously carried, the Mayor and City Council reconvened to open session. Mayor Whitley announced that a Closed Session was held pursuant to NCGS 143.318.11(a) 3 to consult with the City Attorney and stated there is nothing to report at this time.

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Upon a motion by Councilmember Underwood, seconded by Councilmember Michael and unanimously carried, the meeting was adjourned to Friday, June 28 at City Hall at 5 pm for an adjourned session concerning storm damage management and the FY 2013-14 Budget Ordinance.