

REGULAR MEETING CITY COUNCIL
May 7, 2018

The City Council of the City of Albemarle met in a regular session on Monday, May 7, 2018 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 Martha Sue Hall, Bill Aldridge, Chris Bramlett, Benton H. Dry II, Martha E. Hughes, Dexter Townsend and Chris Whitley. Absent, none.

Mayor Michael gave the invocation.

**Special Presentation to Those who Provided Information Used
in the book "Mayors of Albemarle"**

Mr. Lewis Bramlett has put together a book entitled "Mayors of Albemarle". The book also contains a brief history of the City Hall. Several individuals contributed information and photos that were used in the book, and they were asked to be here tonight to thank them for their work and to be provided with a copy of the book.

Ms. Pat Bramlett, a member of the Stanly County Historical Society board, came forward representing her son Lewis Bramlett who lives in Kennesaw, GA. With his wife and 2 sons. She stated that Lewis has always been interested in history. She said they moved to Albemarle when Lewis was in the 8th grade and he immediately became interested in the history of Albemarle & Stanly County. Currently Lewis is a long-distance volunteer for the Stanly Co. Historical Society. In addition to presenting a program for the Historical Society each year, he also maintains the historicstanly.org website.

Ms. Bramlett also stated that he also volunteers for the Stanly County History Center by preparing almost daily post on the History Center's Facebook page related to the history of Albemarle and other places in Stanly County. Lewis has compiled a number of books about people and places in our area. The latest being a booklet with pictures of Albemarle Mayors. A number of people helped him obtain the pictures and as a thank you to them she said she would like to recognize the following and present them with a copy of the booklet "Mayors of Albemarle."

Representing:

W.T. Huckabee – **Martha Lowder**

A.A. Furr – **Reed Furr & Todd Furr**
D.A. Moose – **Beth Swanner**
Dwight Stokes – **Doug Stokes**
James B. Garrison – **Banks Garrison & Jane Lisk**
Wade H. McSwain, Sr. – **Wade McSwain**
Carlton B. Holt – **Bernie Holt**
Roger F. Snyder – **Margaret Snyder**
Elbert L. Whitley, Jr. – **Whit Whitley**
G.R. Ronnie Michael” – **Ronnie Michael**

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, and unanimously carried, the minutes of the April 16 regular session, April 16 closed session, April 18 adjourned session and April 18 closed session minutes were approved as submitted.

Agenda adjustments

- 1) To decide on a meeting date/time with Chambers Engineering to review the proposed site plan for the development of the Albemarle Business Center.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, the City Council approved the agenda adjustment as stated.

Announced delegations

Ms. Salem Taylor to Request Text Amendment Concerning an Air BNB.

Ms. Taylor discussed the City Zoning Ordinance and Airbnb properties. Ms. Taylor is interested in changes to current zoning laws. She reviewed with Council that she is interested in purchasing a 4-5 bedroom single family residence in central Albemarle downtown area for the purpose of operating an upscale short term rental property. She is considering 307 N. Second Street but other similar properties may be considered.

Ms. Taylor stated existing local City usage codes with closest application is the Bed and Breakfast code, where the owner must also be the primary resident. She lives on Anderson Road and would not be living in the property she purchases as an Airbnb. She reviewed Charlotte's usage code that could be adopted which includes Commercial Room Houses in its code usage. It is similar to a Bed and Breakfast but it does not have a 7-day tenancy restriction and does not stipulate the owner reside on-site. The owner must be accessible 24/7 and have a business license and assume responsibility for the quality of the operations.

Planning and Development Services Director Kevin Robinson noted that an Airbnb is a service that facilitates property owners in renting out properties for vacationer and travelers. It is the City's understanding she is thinking about a location that is not her primary residence and we would therefore not consider this a bed and breakfast operation. Our Zoning would consider this more of a hotel, motel or other extremely short term rental for travel or vacation purposes.

It was noted that this issue would need to go before the Planning Board.

Ms. Taylor answered any questions that Council had.

Mayor Michael asked that Mr. Robinson to do an in-house review and take it before the Planning Board and bring back before City Council.

**Mr. Adam Johnson, a Unique Auto Source - To Present
Concerns over Bee Droppings on his Car Inventory**

Mr. Johnson was not present for the meeting tonight so Council made no discussions on this issue.

The Mayor and City Council received a copy of the municipal calendar.

Councilmember Hall stated that the Stanly County COG is looking at moving their meeting from May 29 to another date due to the Town and State Dinner in Raleigh.

Councilmember Whitley stated that the Rocky River RPO meeting moved from May 17 to June 14.

Unfinished Business

Consider Proposed Timeline for Repairs to 608 Summit Ave

At the April 16th public hearing to consider ordinances for demolition of properties under minimum housing code, Council granted the owner of 608 Summit Avenue, Mr. Bobby Rorie, additional time to present a timeline for improvements to Council.

Mayor Michael stated that since Mr. Rorie or his representative is not here tonight. The Mayor asked Planning and Development Services Director Kevin Robinson to schedule this for the next City Council regular meeting on Monday, May 21 at 7 pm.

New Business

1) Consider Request of Level 3 Communications for Encroachment on Hilco Street

TPRC Broadband is representing Level 3 Communication, who is seeking approval for a 50-foot bore under Hilco Street in order to install fiber optic cable to the business at 1908 Hilco Street, a City maintained roadway. The City Manager noted that we do have a pole attachment agreement with TW Telecom and now their successor Level 3 Communications. He felt this is important as we have an agreement in place that does allow them in the right of way, but since this is not a pole attachment and is a bore under the road, he would like Council approval. The City Manager further noted that overall, the City has treated this request up to this point as we would any other right of way encroachment. Their plans have been submitted and reviewed by various City Departments for compliance. There are no issue or concerns from any City Departments about the request.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the City Council approved a request of Level 3 Communications for a 50-foot bore under Hilco Street in order to install fiber optic cable to the business at 1908 Hilco Street.

2) Consider Agreement to Allow Property Owner Access to Undeveloped City Right of way off of Greenwood Park Circle

Jacob Comer, potential buyer of tax parcel #3920, a Stanly County property immediately adjacent to the City limits, requesting this agreement with the City to allow the use of the undeveloped right of way to access his property, including improving existing pathway as a gravel drive. This property is unique in that it is both large and landlocked with the primary access point being from unnamed right of way off of Greenwood Park Circle. Mr. Comer wishes to develop the property with one single family home.

It was noted that City staff and City Attorney David Beaver has modified a previous agreement for a similar property to allow the use of the right of way with the condition that the right of way remain public and that any additional development on the site shall necessitate the development of the right of way to City standards whether said development shall remain in the County or be annexed.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved an agreement between Jacob Comer and the City to allow him access to undeveloped City right of way off Greenwood Park Circle with the condition that the right of way remain public and that any additional development on the site shall necessitate the development of the right of way to City standards whether said development shall remain in the County or be annexed.

3) Consider Allowing a Groundwater Monitoring Well on Garfield Avenue

A Geologist with ELM Site Solutions, representing the BASF Corporation is requesting to install a groundwater monitoring wells in the right of way in front of 121 Garfield Avenue. The wells are part of a required groundwater assessment as part of an environmental investigation for the former CIBA Specialty Chemical location on Kingsley Drive.

The City Manager noted that this is the same location as where a previous well was permitted. At that time, Council asked that the company contact the property owner

about this. When they did not receive a response, permission by the City was granted. In this case, the City asked that outreach be done first. Attempts were made to contact the owner and there was no response. If approved, the City Manager is authorized to execute the encroachment agreements for installation of the wells within the City right of way.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council approved a groundwater monitoring well in the right of way in front of 121 Garfield Avenue as part of an environmental investigation for the former CIBA Specialty Chemical location on Kingsley Drive and authorized the City Manager to execute the encroachment agreements.

4) Consider Request of Homes of Hope for the Placement of a Storage Trailer

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, and unanimously carried, the City Council approved placement of a storage trailer at the Niven Center for Homes of Hope.

5) Consider Bids for Surplus Scrap Metals - Public Utilities Department

Public Utilities Director Michael Leonas noted that bids were received from three vendors. Butch's Recycling submitted the highest bids for brass and copper metals at \$1.84 per pound and \$2.43 per pound. Foils, Inc. submitted the highest bid for iron at \$0.0775 per pound.

Mr. Leonas recommends that Council award the bids for surplus scrap brass and copper to Butch's Recycling at \$ 1.84 and \$ 2.43 per pound and award the bid for surplus scrap iron to Foil's, Inc. at \$ 0.0775 per pound.

<u>Metal</u>	<u>Quantity</u>	<u>UOM</u>	<u>Unit Bid Price</u>	<u>Total Revenue</u>
Brass	2,000	LBS.	\$ 1.84	\$ 3,680.00
Copper	1,000	LBS.	\$ 2.43	\$ 2,430.00
Iron	15,000	LBS.	\$ 0.0775	<u>\$ 1,162.50</u>

TOTAL

\$ 7,272.50

Upon a motion by Councilmember Bramlett, seconded by Councilmember Dry, and unanimously carried, the City Council approved bid tabulation for surplus scrap brass and copper to Butch's Recycling at \$ 1.84 and \$ 2.43 per pound and award the bid for surplus scrap iron to Foil's, Inc. at \$ 0.0775 per pound. Public Utilities is to coordinate with the vendors for pick-up and payment of the metals at the earliest date possible.

(Bid Tabulation)

6) Presentation of the Proposed FY 18/19 City of Albemarle Budget

Council received a copy of the proposed budget and budget letter.

City Manager Michael Ferris stated that the City will once again be able to discharge all of its financial obligations in the current fiscal year and that he can present a proposed budget to do the same. The proposal submitted for Council consideration reflects an overall 1.9% decrease from the current Fiscal Year Adjusted Budget. The City will close the current fiscal year in good position with adequate, and in some cases, growing balances in City funds.

The City Manager noted many accomplishments such as the hiring of an architect and construction/risk manager at risk for the new Police building, renovations to the EE Waddell Center gymnasium, completion of a PARTF Grant including a new dog park, purchased and installed the equipment to return Central Apartments Auditorium back and making it suitable for community use, removal of dilapidated residential structures, continue implementation of the branding and streetscape initiatives, assumed full cost of the services of Retail Strategies for the recruitment and retention of retail businesses, funding for street maintenance/repair, budgeted for acquisition of two Police vehicles, structural repairs to the Warehouse, construction of an electronic storage building and the City took on in-house collection of electronics, and continued bolstering of the City technology infrastructure, the implementation of residential recycling and the implementation of curbside electronics recycling. With a new solid waste contract in place, we were able to pass along an 84-cents monthly reduction in fees for the same services from previous year. The City also moved to self-insurance and the City did not have to budget for any increase in FY 17-18 nor will it in FY 18-19.

The City Manager stated that the proposed FY 18-19 budget utilizes the taxable property valuation of \$1,043,000,000 and recommends increasing our current tax rate of 59-

cents per \$100 of assessed value to 64 cents per \$100 of assessed value. This is mainly due to several City Council economic development and public safety initiatives. The purchase and renovation of a new Police Headquarters building and the acquisition of approximately 282-acres to serve as the home of the Albemarle Business Center have added \$507,000 in new principal and interest payments.

The budget does not include any changes in either the water or sewer rates, no increase in the tipping fees for municipal solid waste (MSW) or construction and demolition (C&D) disposal, with both remaining at \$40.00 per ton and no increase in the motor vehicle registration fee, and no increase in monthly solid waste collection fee or solid waste disposal fee. There are minor adjustments proposed to planning, zoning, fire inspection, and plan review fees. The budget is prepared with a 4% electric rate reduction to reflect a wholesale rate decrease to the City. Also, the budget proposal does include a 1.8% cost of living adjustment for all employees to be effective in July and it also provides .7% to focus on a variety of compensation issues.

The City Manager thanked Finance Director Collen Conroy, Assistant Finance Director, Matt Smith and Assistant City Manager Christina Alphin who played a large role in the overall budget development this year. He also commended the Mayor and City Council for their participation and input in this process and for the faith and trust placed in him to draft a budget to continue to serve our residents, taxpayers, and the business community. Copies of the proposed budget are being made available to the news media and copies for public inspection will be available at City Hall, City's website, and the Albemarle branch of the Stanly County Library. He stated a public hearing can be set for May 21 at 7 pm.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the City Council approved setting a public hearing to present the proposed FY 2018-19 City of Albemarle Budget first reading for Monday May 21, 2018 at 7 pm.

7) Roosevelt - Ingram Site Development

The NC Air National Guard is now indicating they are able to schedule the work and there are actions the City must take in order to be able to accept the free labor and equipment use to prepare the site for sale. The City will be required to comply with erosion control regulations. It is estimated that the City's cost will be approximately \$80,000.

Economic Development Director Mark Donham noted that the estimated value of the work contributed by the NCANG is valued at approximately \$180,000. It was noted

that funding this project will reduce the total cost for making the site ready for development from \$260,000 to \$80,000 saving the City \$180,000. Staff needs approval to draft a budget amendment for the May 21 meeting to appropriate funds for this project. It can be specified that when the property is sold, that \$80,000 be returned to the General Fund reserves.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hughes, and unanimously carried, the City Council approved a budget amendment be drafted and brought before City Council on Monday, May 21, 2018 for \$80,000 estimated cost the City will be responsible for at Roosevelt-Ingram site development.

8) Consider Adoption of Resolution 18-05 - First Citizens Bank

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the following resolutions was adopted as amended:

(Resolution 18-05)

9) Consider Approval for Special Events Permit and Street Closures for the Albemarle Police Department

This is a special events permit with a street closure for the annual Law Enforcement Memorial Service event. The event is hosted by Albemarle Police Department on Tuesday, May 15th at 5:00 pm at Courthouse Square. They requested the closure Second Street from Main Street to the walkway from 5-6:30 pm.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved a special events permit with a street closure for the annual Law Enforcement Memorial Service event hosted by Albemarle Police Department on Tuesday, May 15th at 5:00 pm at Courthouse Square. The approval of street closure on Second Street from Main Street to the walkway from 5-6:30 pm.

10) Reminder - Law Enforcement Memorial Service will be held Tuesday May 15, 2018 at 5:00 pm at Courthouse Square Park.

Everyone is invited to attend as we pay our respect to those officers that have lost their life in the Line of Duty.

11) Consider setting a date for the Central Auditorium Ribbon Cutting and Open House

Dates to consider:

Thursday, May 10

Wednesday, May 30

Thursday, May 31

Wednesday, June 20

Wednesday, June 27

Wednesday, September 12

Thursday, September 13

Time for ribbon cutting and open house can be from 5:30 pm - 7:00 pm

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved Wednesday, May 30 at 5:30 pm for the Central Auditorium ribbon cutting and open house.

COMMENTS

Mayor Michael stated that Council needs to meet with Chambers Engineering concerning design plans for the Corporate Business Park. It was the consensus of City Council to meet on Monday, May 14 at 6 pm in the Executive Conference Room at City Hall.

Councilmember Hughes asked everyone to vote tomorrow.

Councilmember Hall thanked Public Works Director Ross Holshouser and his street crews for the street work to reconstruct Crestview Drive. Mr. Holshouser stated they will finish tomorrow.

Councilmember Hall stated that Beach Blast will be held this Saturday, 12 and she thanked ADDC for all their hard work.

Councilmember Hall stated that she had brought a copy of an article concerning panhandling into Council a couple weeks ago. A citizen contacted her and ask if something could be done about this. Police Chief Bowen noted that if the panhandler is not in the traffic lane or speaking to the citizens, there is nothing that can be done at the present time based on current NC Law. Mayor Michael asked Chief Bowen to reach out to Senator McGinnis about changing the laws dealing with panhandling.

Councilmember Whitley asked everyone to vote tomorrow.

Councilmember Bramlett asked everyone to vote tomorrow.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, and unanimously carried, the meeting was adjourned until Monday, May 14 at 6 pm in the Executive Conference Room at City Hall to meet with Chambers Engineering concerning design plans for the Albemarle Business Center.