

REGULAR MEETING CITY COUNCIL  
October 7, 2013

The City Council of the City of Albemarle met in a regular session on Monday, October 7, 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.

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The Mayor and City Council received a presentation of Public Power Awards of Excellence to the City of Albemarle by Roy Jones and Matt Schull with ElectriCities of North Carolina in the following categories:

Competitive Business Environment  
Energy Efficiency  
Financial Stability  
Legislative Involvement  
Service Excellence

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Upon a motion by Councilmember Underwood, seconded by Councilmember Holcomb and unanimously carried, the minutes of the September 16 regular session and September 16 closed session minutes were approved as submitted.

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A public hearing was held to consider a map amendment to rezone 318 East Cannon Avenue (Tax Record 12035) to R-10 Residential. No one from the public spoke for or against this matter.

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

Upon a motion by Councilmember Hall, seconded by Councilmember Michael, and unanimously carried, the following Ordinance was duly adopted:

(Ordinance 13-41 – To rezone 318 East Cannon Avenue from NBD/Neighborhood Business District to R-10/Single Family District.

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Ms. Regina Butler, Homes of Hope came before City Council to discuss Domestic Violence awareness month. Ms. Butler invited the Mayor and City Council to an event at the 1<sup>st</sup> Street United Methodist Church for this on Thursday, October 24. She is also asking City Council to approve a proclamation similar to the one approved last year.

Upon a motion by Councilmember Michael, seconded by Councilmember Underwood, and unanimously carried, the City Council approved a proclamation for domestic violence.

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

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The Mayor and City Council considered a request of Sonic Restaurant for an exception to the Utility Billing Adjustment Policy. Council received a letter from Chuck Buckman of Sonic, a copy of a plumbing bill and a recent history of their water and sewer use. The City Manager noted that they had a water leak that their staff delayed in reporting to their corporate offices and then they had difficulty in finding the leak. In accordance with the City's policy, Utility Customer Service Coordinator Scott Hopkins has already made a billing adjustment of \$501.25. They are requesting an additional adjustment due to the circumstances outside of the City's policy, which must be approved by Council. If Council were to adjust the sewer so that it would be equal to their sewer charges for the previous 13 months you could consider an additional adjustment of \$1,692.31. This would be a total adjustment of \$2,193.56.

Councilmember Alexander moved that Council approve an additional adjustment of the sewer billing for Sonic in the amount of \$1,692.31, making the total adjustment by the City in the amount of \$2,193.56. This will be credited to their utility account. Councilmember Hall seconded the motion. Voting for the motion were Councilmembers Alexander, Hall, Holcomb, Michael, Neel, and Underwood. Voting against the motion was Councilmember Townsend. The motion carried.

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The Mayor and City Council considered an adoption of the American Public Power Association Safety Manual. It was noted that the City of Albemarle is one of only 184 out of more than 2,000 public power providers nationwide that have earned the Reliable Public Provider designation, and the City has earned the platinum level designation for the second consecutive time in 2013. As part of this process, the APPA recommends that the APPA Safety Manual be formally adopted by City Council. The City's electric division has used this manual for years in its safety program, but has not had a formal adoption of the manual by City Council,

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood, and unanimously carried, the City Council approved the adoption of the American Public Power Association Safety Manual.

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Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the Mayor and City Council adjourned to a Closed Session pursuant to NCGS 143-318.11(a) 3, 4, 5, and 6 to consult with an attorney, discuss economic development, discuss real estate, and discuss personnel matters.

Upon a motion by Councilmember Underwood, 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, 4, 5, and 6 to consult with an attorney, discuss economic development, discuss real estate, and discuss personnel matters and stated there is nothing to report at this time.

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Upon a motion by Councilmember Michael, seconded by Councilmember Hall, and unanimously carried, the following Ordinance was duly adopted:

(Ordinance 13-42, To prohibit the use of compression brakes inside the City limits).

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Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the Following Ordinance was duly adopted:

(Ordinance 13-43, To amend the FY 13/14 Budget to provide for the purchase of a maintenance truck in the Public Works Department and the financing of equipment in the Information Systems Department.)

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The Mayor and City Council received a report on preparations for the loose leaf collection season. Assistant City Manager Michael Ferris came before City Council and stated he had conducted a meeting with Waste Management and City staff in preparation for the upcoming loose leaf collection season. Waste Management will publish the map and schedule in the SNAP on October 6 and collection begins in Zone 1 on October 14.

Mr. Ferris answered any questions that Council had.

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The Mayor and City Council received an update on funds to address burned structure at 534 Alfred Street. Assistant City Manager Michael Ferris confirmed that there are CDBG funds available for demolition of this dwelling, and the City Attorney has now advised that he believes the City can proceed with this.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall approved with moving forward with the demolition of 534 Alfred Street.

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Interim Public Utilities Director Judy Redwine came before Council and stated that the Public Power Day of Caring event entailing the weatherization of 7 homes for Tuesday, October 8 had been canceled due to no client participation.

It was noted that all other day activities scheduled for Public Power Week are still taking place.

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Councilmember Michael congratulated Public Housing Director Cedric Baldwin and his staff for a great resident appreciation day this past Saturday, October 5.

Councilmember Michael congratulated Police Chief Halliburton on a successful SAGE Call-In in September.

Councilmember Michael congratulated Assistant Police Chief Danny Bowen on being a finalist in the SCC Foundation Chili Cook Off on October 5 at Market Station.

Councilmember Michael asked that downtown businesses be made aware if any work is to be done to the sidewalks downtown in front of their business.

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Councilmember Holcomb asked about the demolished property on Wendover Avenue and who maintains the lawn. The City Manager stated that the owner is responsible for the lawn and if not mowed, the City would declare nuisance and hire a contractor to mow and bill the owner.

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Councilmember Townsend reported that the unpaved portion of Alfred Street is still being blocked by trees from the June 13 storm.

Councilmember Townsend stated that months ago there was construction debris on Inger Street and it is still there. He asked who is

responsible to this type of pick debris up. The City Manager stated that Waste Management is responsible to pick up construction debris up to 4 cubic yards.

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Councilmember Hall asked about State reimbursement for the microburst in June. The City Manager stated that the Division of Emergency Management is still getting information they need and we have not received any official word yet.

Councilmember Hall stated that she had received an email from American Water Resources and asked if any other Councilmember received this also. It was confirmed that this email was received by other staff and Councilmembers.

Councilmember Hall asked about the NCLM Conference in Hickory later this month and if Council could discuss this after the meeting tonight.

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Councilmember Underwood asked Fire Chief Oke about a property on Long Street where the property owner is interested in having the dilapidated structure burned by the Fire Department for training purposes. Chief Oke explained about the cost that the owner and the City will have. If the owner agrees, we will move forward with the burn. To date, the property owner has not indicated a willingness to pay for their share of the project costs.

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Councilmember Alexander spoke of the trees blown down from the June microburst storm and the stumps are still there. He asked if this is in the right of way will the City grind these stumps. The City Manager stated that the City will grind these stumps but just have not gotten to these yet.

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Upon a motion by Councilmember Alexander, seconded by Councilmember Underwood and unanimously carried, the meeting was adjourned until Wednesday, October 16, 2013 for a joint meeting with the Planning Board and Board of Adjustment at Rosebriar Restaurant starting at 6:30 pm.