

REGULAR MEETING CITY COUNCIL
May 21, 2018

The City Council of the City of Albemarle met in a regular session on Monday, May 21, 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 called the meeting to order.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, and unanimously carried, the minutes of the May 7 Special Session, May 7 Regular Session, May 7 Closed Session, May 14 Adjourned Session and May 14 Closed Session minutes were approved as submitted.

The Mayor and City Council considered the proposed FY 2017/2018 City of Albemarle Budget. The City Manager noted that if acceptable, Council would pass the Budget Ordinance 18-22 on first reading. The annual Budget Ordinance is required to pass two readings for adoption. The second reading and adoption can take place at the June 11 regular meeting of the City Council.

Public Comments – For or Against

Mr. Lynn R. Huneycutt, 2801 Silvers Lane, came before City Council concerning the City lowering electric rates 4 percent beginning July 1, 2018. He stated that he lives in the City limits in the northern part of the City, but he is a Duke Power customer and not a City electric customer. He requested he and other Duke Power customers in the City limits receive the 4 percent deduction. He stated that he has no problem with the property tax rate increase of 5% or the 4 percent decrease in electric rates, but would also like the discount even though he is a Duke Power customer.

Mayor Michael stated that the property tax increase by the City and the percentage decrease in City customer electric rates are two different issues. The City has no jurisdiction over what Duke Power customer rates are. The Mayor stated that there is nothing legally that the City can do concerning his power rates. The Mayor advised Mr.

Huneycutt to speak with Duke Power about them releasing him and all Duke Power residents in Albemarle and allowing them to become City electric customers.

Mr. James Dunn, 200 Holt Road, came before Council concerning the City lowering electric rates 4 percent beginning July 1, 2018 for City electric customers. He stated he is with Duke Power also and resides within the City limits of Albemarle and feels the same as Mr. Huneycutt. He stated that the Duke Power customers within the City need some sort of discount to compensate. He also spoke about the substandard roads in the area where he resides.

Mayor Michael thanked Mr. Huneycutt and Mr. John for coming forward this evening with their concerns.

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

Upon a motion by Councilmember Townsend, seconded by Councilmember Hughes, and unanimously carried, the City Council approved Ordinance 18-22 for the FY 2018-19 Budget on first reading.

Announced Delegations

1) Introduction of new Waste Management Personnel

The City's 3 major points of contact with Waste Management have changed. Marilyn Wells, Community and Municipal Relations, Jason Hammond, Senior District Manager, and Curtis Yates, Route Manager with Waste Management to introduce themselves to City Council. It was noted that staff had recently met with these individuals at the staff level. It was also noted that service is going well and the City has settled into the new curbside recycling program.

Upon questioning, Ms. Wells stated that Waste Management picks up recycling materials from Charlotte, Salisbury, Red Cross, Richfield, Stanfield, Kannapolis, and Albemarle. Ms. Wells stated that they had been taking their recyclables to Sonoco in Salisbury until they were informed this facility would no longer accept recyclables and now are transporting recycles to Winston-Salem. China buying less recyclables from the US due to mixed contamination of recyclables with other waste and recycling centers no longer have the market for recyclable materials they once had. Ms. Wells stated that they appreciate the partnership with Albemarle.

Mr. Hammond, Senior District Manager, came forward and stated he oversees the collection operations out of the Granite Quarry and Gastonia offices.

Mr. Yates, Route Manager for Albemarle, came forward and stated that he lives in Waxhaw. The Mayor asked if they had added new routes and personnel in Albemarle to correct some of the issues. Mr. Yates confirmed the addition of new routes and personnel in Albemarle.

Upon questioning, Ms. Wells stated that she is working with the City Manager and the Assistant City Manager Christina Alphin on how to educate the residents on what recyclables are acceptable and how to filter their recyclables, having less contamination.

The Mayor asked Ms. Wells about a change in the clause in the contract they have with the City. Ms. Wells stated that she will look to see which clause will be modified and get back with the City Manager and Council.

Councilmember Hall stated that time is of the essence.

2) Mr. Adam Johnson, A Unique Auto Source - To Present Concerns over Bee Droppings on his Car Inventory

Adam Johnson, A Unique Auto Source, Inc., 465 West Main Street, came before Council with his concerns regarding bee droppings on his and Stanly Motor Company vehicle inventory. It was noted that current city ordinances do not address beekeeping or require car dealerships to be a certain distance from beekeeping operations.

Mr. Johnson stated that at first they were not sure what type of droppings that were on the vehicles. They later determined it was from bees and the hives are behind his business not far away. He also said that the droppings can penetrate through the clear coat of paint which if happens, would cost at least \$125 to have repaired. He passed out photos for Council to review.

Mayor Michael stated that he is not sure there is a solution to this concern. Also, he stated that in a May electronic issue from the NC League of Municipalities, they were asking for municipalities to consider becoming a "Bee City". The closest Bee City to Albemarle is in Davidson. Mayor Michael stated that the City can research this to see if there is anything we can do. Councilmember Hall stated that the beekeeper was here two weeks ago at the meeting when Mr. Johnson was not.

Planning and Development Services Director Kevin Robinson came forward and stated that he will look at other municipalities and also talk with Stanly County Bee Association and report back to Council.

Mayor Michael asked Mr. Robinson to reach out to Davidson also.

The Mayor and City Council received a copy of the March Monthly Departmental Reports and asked if anyone had any questions.

Unfinished Business

Consider Proposed Timeline for Repairs to 608 Summit Ave.

Mr. Townsend, representing Bobby Rorie's property located at 608 Summit Avenue came before Council. He stated that Mr. Rorie lives in Maryland and just a few days ago received the letter from the City.

Mayor Michael stated that Mr. Rorie needs to change his address with the Stanly County Tax Assessor's office on these local properties to reflect his Maryland address.

Mayor Michael stated that Council has reviewed the taxes over the last 10 years that Mr. Rorie has not paid on this property. Mr. Rorie is looking at the possibility of foreclosure on this property due to tax evasion and he would hate to see him lose this house after starting repairs and spending a lot of money. Mr. Rorie needs to pay all delinquent taxes on this property before starting any repairs on this house.

Councilmember Bramlett stated that everyone has to pay taxes on the property they own. He rode by to view this property and he said someone would need to be a miracle worker to bring this property up to code. He does not see how we can disregard his property taxes being unpaid.

Councilmember Dry stated that he had spoken with Mr. Rorie concerning the property tax issue on this property and other properties he owns in the City. He has to know his property taxes are due and payable by January of each year and Councilmember Dry has a problem with him not paying these taxes and expects Mr. Rorie to pay these taxes before Council considers any timeline for repairs on 608 Summit Avenue.

Councilmember Townsend stated that it is Mr. Rorie's intentions to pay these property taxes per his conversation with the Stanly County Tax Office.

Planning and Development Services Director Kevin Robinson stated that Mr. Rorie said he would look into paying these property taxes.

Councilmember Hall stated that some houses may not be worth the cost of 10 years of property taxes and he needs to pay them as we all do.

Councilmember Townsend stated that Mr. Townsend is not able to answer for Mr. Rorie and the taxes owed on this property and it puts him in an awkward position.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council decided to not move forward on any repair timeline with Mr. Rorie on 608 Summit Avenue until the delinquent property taxes there are completely current. Council is giving Mr. Rorie until June 30, 2018 to come current with property taxes and once the taxes are current, City Council will decide at that time if they are willing to consider giving Mr. Rorie the opportunity of a timeline of needed repairs to bring this property up to code.

New business

1) Proclamation - National Public Works Week – May 20-26

National Public Works Week is nationally recognized to honor the dedicated professionals of public works. From providing clean streets and right of ways, emergency response to natural or manmade events, to down town beautification, to fleet maintenance and City warehousing, to solid waste collection and disposal services; the City's Public Works department contributes to services that provide economic vitality to our community. This proclamation invites elected officials and the public to celebrate the dedication and valuable influence Public Works employees have on our way of life in the City of Albemarle.

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

(Proclamation)

2) Consider Cost Proposal from Raftelis Financial Consultants for Water & Sewer Financial Planning and Cost of Service Rate Study

A proposal from Raftelis Financial Consultants, Inc. for financial planning services and to conduct a cost of service study for water and sewer rates. Qualification packages were received and reviewed by a committee comprised of Finance and PUD staff. From that review it was recommended to solicit and negotiate a cost proposal from Raftelis Financial Consultants, Inc. The Public Utilities Department then solicited and negotiated a cost proposal for Council's review and consideration.

After review and discussion of the scope of services with Raftelis personnel and considering the expectations and results of the final product(s), the department is of the opinion that the cost presented is fair and reasonable for the work involved. While the cost proposal exceeded the allocated funds budgeted for the work, the department has identified additional funds within the Water and Sewer Fund to cover the proposed cost of the work.

<u>Account</u>	<u>Description</u>	<u>Amount</u>
617110-519900	Other Professional Services	\$45,000
617150-519500	Engineering Services	<u>\$15,000</u>
	TOTAL	\$60,000

The Public Utilities Department recommends that Council approve the cost proposal from Raftelis Financial Consultants for a cost not to exceed \$59,800 for financial planning services and to conduct a comprehensive cost of service and rate study for water and sewer rates and authorize the Mayor and/or the City Manager to execute the appropriate agreements related to the work.

Councilmember Hall moved to approve the proposal from Raftelis Financial Consultants, Inc. for a cost not to exceed \$59,800 for financial planning services and to conduct a comprehensive cost of service and rate study for water and sewer rates and authorize the Mayor and/or the City Manager to execute the appropriate agreements related to the work , Councilmember Whitley seconded the motion. Voting for the motion were Councilmembers Aldridge, Hall, Hughes, Townsend and Whitley. Voting against the motion were Bramlett and Dry. The motion carried with a 5-2 vote.

3) Consider Agreement with Chambers Engineering for Erosion Control Management for Roosevelt Ingram Park

At the May 7, 2018 City Council meeting, Mark Donham made a presentation regarding the preparation of the Roosevelt Ingram site for sale for commercial development. Chambers Engineering prepared a proposal to design and oversee the installation of sediment and erosion control measures so that the North Carolina National Guard can use the site for training their troops for active service supporting the armed services. The cost of the contract is \$18,970.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Dry, and unanimously carried, the City Council approved an agreement with Chambers Engineering for Erosion Control Management for Roosevelt Ingram Park.

4) Ordinance 18-23 - To Amend the FY 17/18 Budget

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

(Ordinance 18-23)

5) Ordinance 18-24 - To Establish a Project Budget for the Ingram Park Site Work

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

(Ordinance 18-24)

6) Ordinance 18-25 - To Establish a Project Budget for Gravity Leachate Lines at the Landfill

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

(Ordinance 18-25)

7) Call for a Public Hearing for Conditional Use Permit 18-01

Upon a motion by Councilmember Dry, seconded by Councilmember Townsend, and unanimously carried, the City Council approved setting a public hearing for Monday, June 11, 2018 at 6 pm to consider continuation of use for Conditional Use Permit #17-006.

8) Consider Resolution to Adopt Street Assessment Fees for FY 2018-19

Upon a motion by Councilmember Bramlett, seconded by Councilmember Dry, and unanimously carried, the City Council approved the following resolution:

(Resolution 18-06)

9) Consider Bids for Water Treatment Chemicals for the Public Utilities Department

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hall, and unanimously carried, the City Council approved Chemtrade Chemicals US, LLC for a unit price of \$232.00 per dry ton for liquid alum and to JCI Jones Chemicals, Inc. for a unit price of \$688.00 per dry ton for liquid caustic.

(Bid Tabulation)

10) Consider Approval for Special Events Permit - Moonlight 1/2 Marathon & 5K

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved a special event permit for the Moonlight ½ marathon & 5 K on Sunday, May 27, 2018 from 6pm-12 am and to close Speight Road from NC Hwy. 740 to Moss Springs Road.

11) Consider Attendance for the Stanly County COG Meeting

Mayor Michael and Councilmembers Bramlett, Dry, Hall, Hughes, and Townsend affirmed their attendance.

Comments

Councilmember Hughes thanked everyone for voting in the Primary Election on Tuesday, May 8.

Councilmember Hughes thanked the Albemarle Downtown Development Corporation and the Parks & Recreation Department for all their hard work with the Beach Blast on Saturday, May 12. She also stated that the bands were very good.

Councilmember Hall echoed the sentiments concerning the Beach Blast. She also stated she would like to see the event advertised earlier and more widely.

Councilmember Hall asked Fire Chief Oke to speak about the fire at the Central School Apartments this past weekend. Fire Chief Oke stated that the fire at one of the apartments at Central School Apartments started in the kitchen. The Fire Department retrieved one person from the fire and there was water damage from the sprinkler system to that apartment and the one next to it.

Councilmember Hall asked the City Manager if he had heard anything from his letter to the NCDOT concerning the speed limit on First Street. The City Manager stated that he had not heard anything at this point but had been told that it may be a few weeks before a response.

Councilmember Whitley asked about the Central School Apartments Auditorium Open House. The Mayor stated that it will be Wednesday, May 30 at 5:30 at the Central School Apartments Auditorium.

Ms. Colleen Conroy came forward to remind Council of the Butterfly House Fundraiser of Karaoke on Thursday, May 24 at 7pm at Five Points Public House.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to NCGS 143-318.11(a) (3) (4) & (6) - To Consult with the City Attorney and To Discuss City of Albemarle v. Chucky L. Nance, et al., Economic Development and Personnel.

Upon a motion by Councilmember Aldridge and unanimously carried, the Mayor and City Council reconvened to open session. Mayor Michael announced that a closed session was held Pursuant to NCGS 143-318.11(a) (3) (4) & (6) - To Consult with the City Attorney and To Discuss City of Albemarle v. Chucky L. Nance, et al., Economic Development and Personnel.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge, and unanimously carried, the Council approved setting a public hearing concerning Economic Development on Monday, June 11, 2018 at 6 pm.

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, and unanimously carried, the Council approved entering into a settlement agreement in the amount of \$32,500 plus mediation fees with Jenifer Chandler and Matt Chandler.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the meeting was adjourned until Wednesday, May 30 at 7:00 p.m. in the City Hall.