

REGULAR MEETING CITY COUNCIL
September 16, 2013

The City Council of the City of Albemarle met in a regular session on Monday, September 16, 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.

Mayor Whitley called the meeting to order.

The Mayor and City Council presented a retirement certificate to Karen A. Allan who retired on August 1, 2013 after 26 years of service with the City. She retired while holding the position of Chief Operator at the Long Creek Wastewater Treatment Plant

Mayor Whitley presented The Carolina Council of Housing Redevelopment and Codes Officials (CCHRCO) 2013 Human Service Award for the Home Care Nurse's Assistant Certification Program to the City of Albemarle Department of Public Housing. Director of Public Housing Cedric Baldwin and staff were present to receive the award.

It was noted that now, more than ever, it is essential that develop cost effective programs are developed that will fill the gap between housing and human/social services. This program was possible due to the partnership and support of Stanly Community College. Stanly Community College was thanked for their dedication and commitment to our community.

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

A public hearing was held to consider a Text Amendment to 92.100 (B) Procedure for Amendments. 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 Townsend, and unanimously carried, the following Ordinance was duly adopted:

(Ordinance 13-38 – To shorten the time period for which items need to be submitted to the Planning and Zoning Board)

Ms. Tara Ludwig, Stanly Regional Medical Center, came before City Council to request a street closing for the Healthwave 5k and Fun Run on Saturday, October 12. They are requesting the closing of North Fourth Street between East Street and Yadkin Street. The event time is 8:00 am until 9:00 am and they are requesting the street be closed from 7:00 am until 9:30 am.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the City Council approved a street closing for the Healthwave 5k and Fun Run on Saturday, October 12 for North Fourth Street between East Street and Yadkin Street. The event time is 8:00 am until 9:00 am; the street will be closed from 7:00 am until 9:30 am.

Ms. Lorrie Hatley, Albemarle Downtown Business Association came before City Council to request street closings for the Downtown Christmas Open House on Saturday, December 7 for First Street from Kimbrells to King, Main Street from Third to Depot Street, and Second Street from the Alameda Theater to King from 10 am until 5 pm. Ms. Hatley is the Chairman of this year's downtown Christmas event. The downtown business association wanted the event moved to Saturday this year. Council received a copy of the street closing request and a map.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the City Council approved the street closings for the Downtown Christmas Open House on Saturday, December 7 for First Street from Kimbrells to King, Main Street from Third to Depot Street, and Second Street from the Alameda Theater to King from 10 am until 5 pm.

Councilmember Michael stated that we should consider deciding when to turn on the Christmas lights this year.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the City Council approved turning on the Christmas lights on Wednesday, November 27, the day before the Thanksgiving holiday.

Mr. Joseph Butler, 706 Hill Street was scheduled to appear before the Mayor and City Council request Children at Play signs on Hill Street. Mr. Hill was not present at the meeting. The City Manager noted that the Children at Play signs must be approved by City Council, and the cost per sign is \$57.88 if they are placed on existing poles, or \$71.88 if a new pole has to be installed, and the requester must pay for the signs prior to installation.

Upon a motion by Councilmember Michael, seconded by Councilmember Townsend and unanimously carried, the City Council approved the Children at Play signs for Hill Street and the cost per sign is \$57.88 if they are placed on existing poles, or \$71.88 if a new pole has to be installed, and the requester must pay for the signs prior to installation.

Ms. Sheila Walsh came before City Council as an unannounced delegation to request a peddler license for a hotdog cart downtown. Upon discussion, Ms. Walsh stated that she will set up her cart on the sidewalk, not blocking traffic, near the Stanly County Courthouse on the opposite side of the road.

Upon a motion by Councilmember Michael, seconded by Councilmember Townsend and unanimously carried, the City Council approved a peddler license for a hotdog cart downtown for Ms. Walsh and not to block the sidewalk if setting up on sidewalk and to call Stanly County for permission, if setting up on the lawn of the Courthouse.

Battalion Fire Chief Tony Upchurch came before City Council and stated that the United Way campaign is coming up and will be underway in October, He stated that Assistant Public Works Director Nina Underwood, Revenue Collections Supervisor Lindsay Carter, and he are heading up this year's employee campaign again. The City raised \$20,000 last year and they are hoping to exceed that

amount this year. The department heads are working with businesses to get door prizes for a drawing. He requested that City Council consider approving the donation of 20 "Fair Share" annual leave days to use as drawing prizes as you they have in the past.

Upon a motion by Councilmember Hall, seconded by Councilmember Neel and unanimously carried, the City Council approved the donation of 20 "Fair Share" annual leave days to use as drawing prizes for the United Way Campaign.

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

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

The Mayor and City Council considered approval of Bid 2013-13 for the Sanitary Sewer Rehabilitation Project. The low bid came in about \$400,000 below the estimate. There was a lot of interest in the project and 8 bids were received. The low bidder was Dellinger, Inc in the amount of \$2,885,250. If approved by City Council the motion to award should state this award is contingent upon receipt of authority to award from the funding agency, which is the State loan fund.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, the City Council approved Bid 2013-13 for the Sanitary Sewer Rehabilitation Project with Dellinger Inc. from Monroe, NC in the amount of \$2,885,250. This award is contingent upon receipt of authority to award from the funding agency, which is the State loan fund.

(Bid Tabulation 2013-13)

The Mayor and City Council discussed properties recommended for condemnation and demolition and a budget revision. It was noted that the costs for demolitions approved in 2012/2013 have exceeded the budgeted amount because of asbestos abatement, size and construction type of houses, basements and a steep

slope. Council received copies of properties selected by staff for consideration of possible demolition in this fiscal year and pictures. Additional funds would be required for any properties selected at an estimated \$11,000 per house.

The City Manager stated that the storm was a hit on the budget in June but we should recover 75% of the General Fund expenses, none on the water/sewer or electric funds. The budget is tight and we need to prioritize the three most important properties for condemnation and demolition. Upon further questioning, the City Manager stated that the cost of condemnation, testing, and abatement for asbestos raises the cost and he suggests doing 3 properties this year.

Planning and Community Development Director Keith Wolf noted that Council will need to determine what priority to place on these houses since it will require the appropriation of General Fund fund balance, and to determine how much fund balance Council wants to use in the current fiscal year for this effort. After this is decided, then how many houses and which houses to move forward with the City Attorney before being able to proceed with the deed research so we can accomplish this before June 30.

Mr. James Luster with Centralina Council of Governments stated that the City should go ahead and prioritize all the properties before them and plan to do at least the top three on the list first.

The City Manager asked that City Attorney David Beaver continue with the title work on these properties.

Upon a motion by Councilmember Michael, seconded by Councilmember Townsend and unanimously carried, the City Council approved the following three properties with highest priority for condemnation and demolition:

225 Concord Road
421 Wall Street
507 Salisbury Avenue

Upon a motion by Councilmember Michael, seconded by Councilmember Hall and unanimously carried, the City Council approved legal process on all six properties as listed below:

1. 904 Lowder Street (Taxrec 25255) burnt house
2. 225 Concord Road (Taxrec 5250) burnt house
3. 421 Wall Street (Taxrec 8732) structural damage
4. 507 Salisbury Ave (Taxrec 7211) structural damage
5. 112 Heath Street (Taxrec 27905) burnt house

Upon questioning by Councilmember Townsend, City Attorney David Beaver stated that there is approximately \$19,000 left to acquire the Alfred Street house.

Assistant City Manager Michael Ferris stated that there are unexpended grant funds in holding for the demolition. He stated he will bring further proof of funds to demolish the burned house on Alfred Street.

The Mayor and City Council considered a proposal for the sale of three types of mulch at the City Landfill. The Public Works Department is recommending that we regrind the mulch from the June 13 storm so this can be sold to the public, and the NC Department of Emergency Management has advised Interim PW Director Nina Underwood that the state will cover 75% of the costs.

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

(Resolution 13-34 – To amend the Landfill rate schedule to establish rates for the sale of compost and mulch.)

Councilmember Neel stated that he had spoken with the Superintendent of Stanly County Schools Dr. Terry Griffin and she would like some of the mulch from the microburst storm to use on their properties. He previously was under the impression that it was not good for the purpose the school wanted it for.

Councilmember Holcomb stated that the City Manager can send a letter to Dr. Griffin and find out the amount they will need and that things have changed and the City will have mulch for sale. Mayor Whitley agreed with Ms. Holcomb that this would clear up any misunderstandings.

The Mayor and City Council considered public safety radio purchase changes. Fire Chief Oke stated that after the purchase of radios from Motorola was approved, he learned that Motorola was mistaken that we could enter into an agreement to purchase fire radios and then apply for a grant for this. Motorola has

agreed to cancel this contract so we can enter into a new contract for police radios at this time and the Fire Department will enter into the fire radio contract at a later time.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the City Council approved a lease purchase agreement with Motorola for the acquisition of 800 MHz radios for the Police Department and the following Resolution was duly adopted:

(Resolution 13-35 – To entered into a lease purchase agreement with Motorola for the acquisition of 800 MHz radios for the Police Department)

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

(Ordinance 13-39 – To amend the FY 2013/2014 Budget to provide for the appropriation of insurance proceeds from a Landfill compactor fire in the Solid Waste Fund)

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

(Ordinance 13-40 - To Establish a Project Budget for the HUD FY2013 Capital Fund Program in the Department of Public Housing)

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The Mayor and City Council received a reminder the opening ceremony for the Jesse F. Niven Community Center will be held on Tuesday afternoon, September 17, 2013 at 6 pm at the Center. Following the ceremony tours of the facility will be conducted and light refreshments will be available.

The Mayor and City Council received a reminder about the Stanly Albemarle Gang Eradication Call In. The second SAGE call in will be held at 6:00 pm on Thursday, September 26 in the Council Chambers at City Hall.

The Mayor and City Council reviewed a letter which expressed appreciation for the City of Albemarle's pledge for the Advanced Manufacturing and Industrial Technology Campaign to enhance economic development efforts in Stanly County from Dr. Brenda Kays at Stanly Community College.

Councilmember Michael stated that the Mayor attended the service on Sunday for Bishop James Richardson and that several members attended the reception at Stanly Regional and it was nice. He congratulated Bishop Richardson again on his 50 years in the ministry and 34 years at Saints Delight Church.

Councilmember Holcomb asked Council if they had noticed the work being done on the strip mall beside the bowling alley that Chuck Nance owns. She stated that its looks so much better and thanked Mr. Nance.

Councilmember Holcomb thanked the Albemarle Police Department on the recent robbery arrests.

Councilmember Townsend asked questions regarding the Jesse Niven Center opening.

Parks and Recreation Director Toby Thorpe stated that the 1st day of the congregate meals at the Niven Center went smoothly. They had approximately 30 people attending.

Councilmember Townsend inquired about how the residents of Elizabeth Heights who qualify for the congregate meals program will be able to receive their meals now that the program has relocated from Elizabeth Height so the

Niven Center. Public Housing Director Cedric Baldwin stated that he will ask and get back with Council.

Councilmember Hall thanked the City Manager for arranging the tour of the Wiscasset property and buildings tomorrow.

Councilmember Hall stated that she noticed a red tent for a headlight repair business in the right of way at the Eastgate Shopping Center.

Councilmember Hall stated that the City Golf Tournament will be held on October 10.

Councilmember Hall stated that the Day of Caring for Public Power Week will be held on October 8 and the reading of the big electric books will be held at East Albemarle School on October 7.

Councilmember Hall stated that there will be an RPO TAC meeting in Polkton this coming Thursday evening, September 19.

The City Manager noted that in preparing to close the City's loan with BB&T for the construction of the CKA water line, the attorneys for BB&T noticed that the interlocal agreement we signed a couple of years ago was not explicit about the arrangements for construction and felt that this needed to be in writing, so the Concord City Attorney drafted a document that was approved last evening by the Concord City Council, and will go before Kannapolis Council at their next meeting.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the City Council approved the interlocal agreement for water facilities, land acquisition and work for the Concord, Kannapolis, and Albemarle (CKA) waterline.

Upon a motion by Councilmember Underwood, 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, 4, and 5 to consult with the City Attorney, to discuss economic development, and to discuss real estate transactions.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb 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, and 5 to consult with the City Attorney, to discuss economic development, and to discuss real estate transactions and stated there is something to report at this time.

Councilmember Michael stated that as a result of the Economic Development Task Force, it was recommended to City Council the following items:

- 1) Branding
- 2) Hire an Economic Development Director
- 3) Have a Public Information Officer
- 4) An Industrial property

Councilmember Michael thanked the Economic Development Task Force for their service to the City.

Upon a motion by Councilmember Michael, seconded by Councilmember Neel and unanimously carried, the City Council approved the hiring of an Economic Development Director who will work alongside the County Economic Development Director, and proceed with the branding of the City

Upon a motion by Councilmember Alexander, seconded by Councilmember Underwood and unanimously carried, the meeting was adjourned.