

REGULAR MEETING CITY COUNCIL

October 1, 2018

The City Council of the City of Albemarle met in a regular session on Monday, October 1, 2018, at 7:00 p.m. in the Council Chambers of City Hall. Mayor G. R. Michael presided, and the following Councilmembers were present, to-wit: Bill Aldridge, Chris Bramlett, Benton Dry II, Martha Sue Hall, Martha E. Hughes, Dexter Townsend and Chris Whitley. Absent, none.

-----

Mayor Michael called the meeting to order.

-----

Mayor Michael gave the invocation.

-----

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, and unanimously carried, the minutes of the September 18 regular were approved as amended and the September 18 closed session minutes were approved as submitted.

-----

**Public Hearing**  
**Consider Changes to Various Regulations and Definitions for Dwellings.**

This public hearing was continued from September 4. The original need for changes were to address Airbnb and other non-traditional rentals. No one spoke for or against this hearing. The Planning Board unanimously recommended approval of the text amendment on 8-28-18.

Mayor Michael stated that Council has determined to take any public comment tonight and have a work session before voting on these regulation and definition changes for dwellings on Monday, October 15, 2018.

It was the consensus of City Council to meet Monday, October 22 at 5:30 pm prior to the Planning Board dinner meeting at Rosebriar for a short work session concerning this public hearing.

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

-----

**Agenda Adjustments:**

**1) Special Event Permit for HealthWave 5k**

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

-----

**Announced Delegation**

Mr. Durham Lewis, CPA, Lewis & Lewis, CPA - To present the FY 17/18 Albemarle ABC System Audit.

Mr. Lewis came forward and stated in their opinion, the financial statements referred to presenting fairly, in all material respects, the financial position of the City of Albemarle Board of Alcoholic Beverage Control as of June 30, 2018 and the respective changes in financial position, and where applicable, cash flows thereof for the years ended in accordance with accounting principles generally accepted in the USA. This is the best opinion that can be issued.

Mr. Lewis reviewed items from the FY 17/18 report with Council as follows:

Condensed Statements of Net Position with current assets and total net position up 6/30/18 from 6/30/17

Condensed Statements of Revenue, Expenses, Changes in Net Position and Operating Revenues, Net Sales, Gross Profit, Income from operations, Distributions, Change in Net Position beginning and ending. Also, that retail liquor sales and mixed beverage total sales were up 6/30/18 from 6/30/17.

Capital Assets including land, building and equipment less accumulated depreciation

Balance Sheet and Income Statement showing 2018 and 2017

Statement of Cash Flows – breakdown of cash and where it was spent for 2018 and 2017

Distributions of Income between rehabilitation, public schools, Stanly County General Fund, City of Albemarle Capital Improvement to promote tourism and economic development and city of Albemarle General Fund

Law Enforcement 2018 (\$18,038) and Alcohol Education Expenses 2018 (\$25,253)

Disbursement of Taxes included in Selling Price (\$63,483)

A bottle charge of one cent on each bottle containing 50 milliliters and five cents on each bottle containing more than 50 milliliters being collected and distributed monthly to the county commissioners for alcohol education and rehabilitation

For the year ended June 30, 2018 Total collected \$9,938

Mixed Beverage Taxes for years ended June 30, 2018:

To NC Dept. of Revenue and Dept. of Human Resources (\$60,668)

To NC Dept. of Revenue, mixed beverage and excise tax and Dept. of Human Resources, mixed beverage tax, and Stanly County Tax (\$67,162)

Schedule of Store Expenses including salaries, payroll tax, insurance, retirement, utilities, repairs, janitorial service, card fees, cash short, uniforms, training, unemployment insurance, and license total \$393,077 for 2018 and \$369,872 for 2017

Schedule of Administrative Expenses totaling \$25,072 for 2018 and \$26,826 for 2017

Schedule of distribution of Profits

Schedule of Revenues and Expenditures – Budget and Actual

Mr. Lewis answered any questions that Council had.

The Mayor and City Council thanked the ABC staff and ABC Board for a job well done.

-----

**Announced Delegation**

Mr. Howard Spencer, 451 Richardson Street - To Speak Concerning the Condition of Trees Hanging over the Street on Richardson Street. Mr. Spencer came before Council explaining the photos that Council reviewed. He said there are a lot of dead trees on both sides of the road and it is dangerous to walk under these tree canopies.

Mayor Michael asked that City staff look at the sidewalks and determine who owns the property where the trees are located and to bring back a recommendation to Council.

Mr. Spencer answered any questions that Council had.

-----

**Announced Delegation**

**Fire Marshal Michael Roark - To Review Cannon Foundation Grant Awarded to the Fire Department**

Fire Marshal Roark stated that the Cannon Foundation has awarded a \$12,000 grant to the fire department to purchase ballistic vests and helmets for department personnel.

Mayor and Council thanked Fire Marshal Roark for his participation in this grant.

-----

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

-----

**Consent Agenda**

**1) Ordinance 18-35 - To Amend the FY 2018-19 Budget**

(Ordinance 18-35. To appropriate \$12,000 grant award from Cannon Foundation to purchase ballistic vests and helmets for the Fire Dept. personnel and \$130,400 for the purchase of Holbrook/Caldwell property.)

**2) Ordinance 18-36 - To Establish a Project Budget for the Electric Relocation for the NC 24/27 Widening Project**

(Ordinance 18-36 - To clear land and move electric lines for the NCDOT widening project on NC Hwy. 24/27.)

**3) Consider Appointment to the Tree Commission**

Patti Furr for unexpired term ending July, 2019

**4) Consider Resolution Declaring Public Power Week - October 7-13, 2018**

(Resolution 18-17 - To declare Public Power Week as October 7-13, 2018.)

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, and unanimously carried, City Council approved the above items of the consent agenda.

-----

**Consider proposed meeting dates for 2018-19 Planning and Zoning Board Dinner Meetings**

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, and unanimously carried, City Council approved the following dates/time for the 2018 Planning and Zoning Board dinner meetings at Rosebriar Restaurant:

Monday, October 22 at 5:30 pm  
Wednesday, April 17 at 6:30 pm

-----

**Unfinished Business  
Update on Bamboo Framing Concerns**

Planning and Development Services Director Kevin Robinson came forward and stated that as of Friday, September 28 the potential buyer of the property on Mountain Creek Rd for a bamboo farm has backed out at this time.

-----

**New Business**

**1) Consider an Amendment to the Agreement with Pfeiffer University**

Mayor Michael stated that this is concerning the section of the agreement about the land reverting back to the City if the project does not occur. The USDA who is giving the loan, will not allow this reversionary clause in the agreement.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Dry, and unanimously carried, City Council approved the City staff removing the reversionary clause from the agreement between the City and Pfeiffer University.

-----

**2) Chambers Engineering Contract ABC Design**

Chambers Engineering has prepared a contract for the Preliminary and Final Design for Phase 1 of the Albemarle Business Center. The projected cost is \$316,670 of which \$238,170 is lump sum and \$78,500 is expected reimbursable expenses. The City will prepare a budget amendment for an upcoming meeting to appropriate reserves on a proportionate basis once we receive information from Chambers about the cost water and sewer and general fund activities comprise of the total amount.

It was the consensus of City Council to table this item until the October 15 regular session meeting so the City Attorney can review.

-----

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, City Council approved a special event permit for the HealthWave 5k to be held Sunday, October 7 with the corner of Fourth Street and Yadkin to the end of the block being closed from 1-3:30 pm.

-----

Councilmember Townsend asked about doublewide mobile homes being allowed in the City limits. Planning and Development Services Director Kevin Robinson stated they are allowed in R-8 districts only if they meet the required standards. They are required to be underpinned.

Councilmember Townsend stated that there has been a helicopter landing behind OfficeMax. Planning and Development Services Director Kevin Robinson stated that his staff is trying to go by when the helicopter is there. They will look further into this.

-----

Councilmember Hall thanked the City Manager for printing a copy of the City's cash balances ending June 30, 2017 and June 30, 2018 and any net changes.

Upon questioning, Finance Director Colleen Conroy stated that the audit should be complete by early December.

Councilmember Hall asked about the illegal dumping on Rock Spring Road. The City Manager stated that this has been cleaned up and an ongoing issue.

Councilmember thanked Public Works Director Ross Holshouser and all departments during Hurricane Florence for making sure the debris was removed.

-----

Councilmember Dry stated that the Community Night Out event held on Saturday, September 22 at the YMCA Park was great and had good attendance.

-----

Councilmember Whitley mentioned the Night of Hope held at the Agri-Civic Center on Tuesday, September 25 from 6-8:30 pm. concerning substance use. He also stated that there were personal testimonies and the health department and service groups also spoke at the event. He asked what the City may want to do to help with this crisis.

Councilmember Whitley also inquired concerning the City's substandard housing. Planning and Development Services Director Kevin Robinson stated that the asbestos abatement is complete and we are now waiting on a schedule from the fire department to do the burns.

Councilmember Whitley informed Council concerning the RPO projects that Council submitted to NCDOT. He said the West Main to Snuggs Road sidewalk project has been modified and will now cost only \$550,000 and the northern termination is in the vicinity of Oak Street instead of Snuggs Road.

Councilmember Whitley also commented on the Community Night Out event held on Saturday, September 22 at the YMCA Park and it was great and had good attendance.

Councilmember Whitley stated that he had been questioned why the City is selling the Albemarle Business Park land when seeing the signs up at the location.

-----

The City Manager summarized for Council the East Main Street resurfacing project with NCDOT on East Main Street from Five Points to the Niven Center. He said the bid contract was awarded to J.T. Russell and they anticipate starting around the end of October or early November 2018.

-----

Upon a motion by Councilmember Hughes, seconded by Councilmember Bramlett, and unanimously carried, the City Council adjourned to Monday, October 15 at 7:00 p.m. in Council Chambers.