

REGULAR MEETING CITY COUNCIL

August 19, 2013

The City Council of the City of Albemarle met in a regular session on Monday, July 15, 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.

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Upon a motion by Councilmember Underwood, seconded by Councilmember Townsend and unanimously carried, the minutes of the August 5 regular session and August 5 closed session were approved as submitted.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the City Council approved adding two items to the agenda under new business and a closed session be added at the end of the meeting as follows:

1. Resolution with BB&T for CKA waterline financing
2. Ribbon Cutting and Open House for the Jesse Niven Center
3. Closed Session

Mr. Bradshaw came before Council to request a street closing for a prayer walk event on Saturday, September 21 between 9-12 noon downtown.

Mr. Bradshaw stated that Mr. William Aldridge had planned to be at the Council meeting this evening but was unable to do so. Upon questioning, he stated the route would start at Stanly Commons, going down 1st Street to City Hall and then on to the courthouse and they are waiting on approval from NCDOT.

Councilmember Hall asked if this could be held over until the Tuesday, September 3 meeting until there is clarification on the streets and approval from NCDOT is final.

Upon a motion by Councilmember Neel, seconded by Councilmember Townsend and unanimously carried, the City Council approved deferring this item until the Tuesday, September 3 meeting until there is clarification on the streets and approval from NCDOT.

Mr. Joe Canupp came before Council as an unannounced delegation to request that City Council consider making a four lane road to the airport. Starting at the intersection of Prospect Church Road and US Hwy. 52 N. Prospect Church Road turns into Airport Rd past the first intersection.

Mayor Whitley stated that a new road had been built to the airport by NCDOT but is a two-lane road. Mayor Whitley thanked Mr. Canupp for his comments.

Stanly County Commissioner Peter Ascitutto came before Council as an unannounced delegation and stated that he is visiting all the municipality meetings with comments. He stated that the City did an outstanding job on the recent microburst storm cleanup. He also stated that the Parks & Recreation Department did a terrific job on the Elvis Tour last weekend.

Mayor Whitley thanked Commissioner Ascitutto for his comments to Council.

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.

Upon a motion by Councilmember Hall, seconded by Councilmember Neel and unanimously carried, the following ordinances passed second reading and were duly adopted:

(Ordinance 13-32. To amend the code of ordinance by revising Appendix A: Salary Tables, Table I and Table II.)

(Ordinance 13-33. To rezone 202 Northeast Connector from R-10 Single Family to General Highway Business District (GHBD).

The Mayor and City Council considered a resolution and approval of a Motorola Lease/Purchase Agreement. This provides for a 59 month installment purchase at an interest rate of 2.9%, but payments are deferred for two years.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the City Council approved a resolution and approval of a Motorola Lease/Purchase Agreement which provides for a 59 month installment purchase at an interest rate of 2.9%, but payments are deferred for two years.

(Resolution 13-30. To lease Motorola 810 MHz radios for Police and Fire Department)

The Mayor and City Council considered approval of street resurfacing recommendations proposed for FY 2013-14. Council received a map and memo from Interim Public Works Director Nina Underwood. There is \$225,000 budgeted for resurfacing in the current fiscal year, and this is the list of streets being recommended for Council's consideration and approval.

Councilmember Hall stated that work still needs to be done at the intersection of Second Street and Montgomery Avenue. Interim Public Works Director Nina Underwood stated that this can be reviewed and brought back before City Council.

Upon a motion by Councilmember Townsend, seconded by Councilmember Underwood and unanimously carried, the City Council approved street resurfacing recommendations proposed for FY 2013-14.

(Street Resurfacing List)

The Mayor and City Council consider approval of Section 8 HCV Program SEMAP Indicators. It was noted that the SEMAP allows HUD to evaluate the Section 8 HCV program on the 14 indicators listed below. The Housing Department submits this information electronically to HUD and HUD verifies the information based on the information submitted monthly and the Department of Public Housing will be notified of the score results later in this year.

Upon a motion by Councilmember Townsend, seconded by Councilmember Holcomb, and unanimously carried, the City Council approved Section 8 HCV Program SEMAP Indicators.

The Mayor and City Council considered approval of write offs for 2002 unpaid property tax. Council received a memo from Lindsay Carter, Tax Collector regarding the write off of property taxes that have reached the statute of limitations. The collection rate was excellent at 99.42%. Due to the type of software they use, the County is unable to provide us with a separate list for the City of the individual accounts to be written off as we used to be able to provide when the City collected taxes.

Upon a motion by Councilmember Neel, seconded by Councilmember Holcomb, and unanimously carried, the City Council approved write offs for 2002 unpaid property taxes in the amount of \$29,562.24 and write offs for the 2002 unpaid Municipal Service District taxes in the amount of \$38.62.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall, and unanimously carried, an Ordinance entitled (Ordinance 13-34) "AN ORDINANCE TO AMEND FY 2013-14 BUDGET", passed and was adopted, and ordered published as provided by law.

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Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, an Ordinance entitled (Ordinance 13-35) "AN ORDINANCE TO AMEND FY 2013-14 BUDGET", passed and was adopted, and ordered published as provided by law.

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Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb, and unanimously carried, an Ordinance entitled (Ordinance 13-36) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, ADOPTING A GRANT PROJECT BUDGET ORDINANCE RELATING TO THE GOVERNOR'S HIGHWAY SAFETY GRANT ENTITLED TRAFFIC GRANT", passed and was adopted, and ordered published as provided by law.

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The Mayor and City Council considered a resolution to adjust the Mayor and Council monthly compensation. The City Manager noted that in most cases in the past, but not always depending upon the discretion of City Council, the compensation for the Mayor and Council has been adjusted by the same percentage as City employees.

Councilmember Holcomb moved to deny the resolution to adjust the Mayor and Council monthly compensation. Councilmember Neel seconded the motion. Voting for the motion were Councilmembers Alexander, Hall, Holcomb, Michael, and Neel. Voting against the motion were Councilmembers Townsend and Underwood. The motion carried.

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The Mayor and City Council considered a resolution honoring the service of Ellis Hankins to the NC League of Municipalities. Councilmembers

Michael and Neel requested this be placed on the agenda for Council's consideration.

Upon a motion by Councilmember Neel, seconded by Councilmember Alexander, and unanimously carried, the City Council approved the City Manager drafting a resolution honoring the service of Ellis Hankins to the NC League of Municipalities.

The Mayor and City Council considered a resolution honoring the service of Bishop James Richardson of Saints Delight Church. Councilmember Michael requested this be placed on the agenda for Council's consideration, noting that Bishop Richardson has 50 years in the ministry, 34 years at Saints Delight Church, and has led many community efforts to deter crime and drugs.

Upon a motion by Councilmember Michael, seconded by Councilmember Hall, and unanimously carried, the City Council approved the City Manager drafting a resolution honoring the service of Bishop James Richardson of Saints Delight Church.

The Mayor and City Council considered setting a public hearing for a text amendment to 92.100 (B) Procedure for Amendments. It was noted that at the Council Meeting on August 5, 2013, the Council voted to amend the City's current policy that all matters to the Planning and Zoning Board must be submitted 30 days in advance of the meeting and that adjoining property owners receive 21 days advance notice of that meeting. There is no requirement in the General Statutes for notification of adjoining property owners at the Planning Board level. This text amendment would shorten the notice deadline to 10 days, with a submission deadline of 7 days prior to that date.

A public hearing is required and can be set for September 16 if Council so ordains.

Upon a motion by Councilmember Hall, seconded by Councilmember Alexander, and unanimously carried, the City Council approved setting public hearing for a text amendment to 92.100 (B) Procedure for Amendments on September 16.

The Mayor and City Council declared surplus and ordered sold scrap wire and transformers from the Electric Division. After these items are declared surplus, there are plans to seek sealed bids from transformer companies to take the used transformers, and to place the scrap wire for sale on Public Surplus.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the City Council approved declaring surplus and ordering sold scrap wire and transformers from the Electric Division.

The Mayor and City Council considered attendance at the Stanly County Council of Governments Meeting which will be in Red Cross on Tuesday, August 27 at 6:30 pm.

Mayor Whitley and Councilmembers Alexander, Holcomb, Michael, Neel, Townsend and Underwood affirmed their attendance.

The City Manager stated that everyone can meet at City Hall at 6pm and ride together.

The Mayor and City Council received information concerning the City of Albemarle Community Blood Drive which will take place on Monday, September 9 from 11:00 am to 2:30 pm at Fire Station One/East Community Police Office.

The Mayor and City Council reviewed information from Time Warner Cable on conversion of analog channels to digital format.

TWC continues their efforts to manage bandwidth more efficiently. Since analog channels require up to 14 times more bandwidth than channels in digital format, they began the process several years ago to convert analog channels to digital. On or about October 1, 2013, Time Warner Cable will convert additional channels to digital format.

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

(Resolution 13-31. To authorize the financing with BB&T of the CKA waterline project.)

The Mayor and City Council considered a ribbon cutting and open house for the Jesse Niven Center. The Parks and Recreation Department have proposed a date of Tuesday, September 17 at either 5:30 or 6:00 pm.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the City Council approved the ribbon cutting and open house for the Jesse Niven Center for Tuesday, September 17, 2013 at 6 pm.

Councilmember Michael stated that he would like to thank the City and Ceres Environmental Services for the cleanup at the Wiscasset site.

Councilmember Michael also stated that when discussing the animal control ordinance with the County at the August 5 regular session meeting there was discussion on having non venomous snakes inside the City. He stated that the same day two kids were found dead by a boa constrictor that had gotten loose. He asked that the Council consider not allowing snakes inside the City.

Councilmember Holcomb asked when the house on Wendover Avenue will be demolished. Planning and Community Development Director Keith Wolf came forward and stated that they had to rebid those properties and last week the asbestos abatement was completed and demolition permits should be issued this week on three of the properties.

Mr. Wolf answered any questions that Council had on the property located on South Second Street.

Councilmember Townsend asked about a property on Lennox Street near the Public Housing area that is vacant. He said that items have been left at the street and in the yard area and asked if code enforcement can do anything about this situation. Planning and Community Development Director Keith Wolf stated that he can address this nuisance either under the nuisance ordinance or housing code.

Councilmember Townsend also stated that since the Public Works staff has taken over mowing the NCDOT right of ways, everything looks better.

Councilmember Hall stated that the Tour de Elvis event this past weekend was great.

Councilmember Hall stated that on August 6, the National Night Out sponsored by the Police Department was also a great event.

Councilmember Hall stated that the Community Inn B-B-Q event will be this Friday, August 23 at First Baptist Church.

Councilmember Hall asked that everyone attend the CONNECT event at the Agri-Civic Center either at the 9 am, 1 pm, or 6:30 pm session on Tuesday, September 10.

Councilmember Hall asked for an update on the 4th Street issue. The City Manager stated that staff is looking at past right of way and easement records from the 1920s, 30s, and 40s and will notify the requester.

Councilmember Neel stated that records from the 1920s were destroyed from a fire.

Councilmember Neel mentioned a complaint about the street lighting at the corner of Second Street and Montgomery Avenue and asked that this be evaluated.

Councilmember Neel mentioned a complaint about the right of way at Grand View. The sewer right of way needs mowing.

Councilmember Neel also mentioned that Mr. Buck Hill stated that he had not gotten one of his trees picked up by the contractor from the microburst. The Mayor stated that evidently Mr. Hill did not get the debris to the curbside in time. The City Manager stated that this can be verified.

Councilmember Neel said that there is a tree that was not picked up at Melchor Branch at Smith Street.

Councilmember Neel stated that the Albemarle High School Bulldogs will be playing Davidson Day this Friday night at 7:30 pm at home. Their quarterback has been listed as one of the top ten in the country.

Councilmember Underwood stated that some of the residents at College Park had asked him about road repairs. The City Manager stated that we have \$225,000 for street repairs and a lot of streets needing repair. All streets were initially considered and the present lineup can be altered. Councilmember Underwood also mentioned Long Street to Wiscasett Street also.

The City Manager stated that one of the highest priorities in the City is economic development. The Economic Development Task Force met several times and gave recommendations to Council. It was determined by the Task Force that branding and marketing were two of our main weaknesses and should take top priority based on the Ed Task Force study. He handed out to Council a copy of the Charlotte USA Economic Development Guide magazine and pointed out that Albemarle has an ad on the first page.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the Mayor and City Council adjourned to a Closed Session pursuant to NCGS 143.318.11(a) 6 to discuss personnel matters.

Upon a motion by Councilmember Michael, seconded by Councilmember Hall 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) 6 to discuss personnel matters and stated there is nothing to report at this time.

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