

REGULAR MEETING CITY COUNCIL
March 4, 2019

The City Council of the City of Albemarle met in a regular session on Monday, March 4, 2019, 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, Martha Sue Hall, Martha E. Hughes, Shirley D. Lowder, Dexter Townsend and Chris Whitley. Absent, none.

Mayor Michael gave the invocation.

Presentation
Mr. Roy Jones, Chief Executive Officer, ElectriCities - To Present the City with the 2018 Public Power Award of Excellence

The City received awards in four categories, including:

Grid Modernization

Communicating the Value of Public Power

Workforce Planning & Development

Wholesale Power Cost

Mayor Michael thanked Mr. Jones for his comments about City and he also thanked all employees for all they do that contribute to these awards.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the minutes of the February 11 adjourned session, February 12 adjourned session, February 14 adjourned session, and February 14 closed session were approved as submitted and February 18 regular session minutes were approved as amended.

Announced Delegation

Renee T. Austin, Paralegal, M.T. Lowder & Associates - To request one-half of the assessment costs for 507 & 509 Corbin Street

Ms. Austin stated they are requesting from Council a reduction in the amount of one-half of the demolition assessment that has been filed against the property at 507 & 509 Corbin Street to complete a sale of the now vacant property from the Sell's family heirs to Straitway Baptist Church.

The City Manager had noted that these properties have been in the program for several years and the City was contacted by various parties, including the church, regarding this property. The City has waited until the last moment to demolish the structures in hopes that someone would provide a contract showing the intent to purchase the property but this did not happen.

Ms. Austin answered any questions that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved the request by M.T. Lowder and Associates to accept one-half the cost of assessments in the amount of \$4,750.21 for one-half of the assessment costs for 507 and 509 Corbin Street.

Announced Delegation

Ms. Sarah Pion, 1106 Pee Dee Avenue. To Request a Text Amendment to Ordinance 81.06, Prohibiting Swine in the City Limits

City Council reviewed a letter along with records from Ms. Pion's veterinarian and photos of his living environment inside and outside.

Ms. Pion came before Council and reviewed her request and mentioned photos of her pig showing where he stays inside and outside the home the veterinarian records. She also stated that if the City decides to allow smaller pigs in the City, she wants to make sure that restrictions are in place to not only protect the City and other residents, but to protect other pigs also. She gave her suggestions on restrictions that Council may want to consider and said other cities have passed similar ordinances and allow for permits to own livestock and exotic pets.

Ms. Pion answered any questions that Council had.

Mayor Michael asked Planning and Development Services Director Kevin Robinson and his staff to research other cities and report back to Council. Mr. Robinson came forward and stated that he will bring back information and that other cities do allow this.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved that staff research and bring back information on cities that allow smaller pigs in their cities.

Municipal Calendar

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

Unfinished Business

To Receive Input Regarding a Possible Change to Non-Partisan Municipal Elections

The City Council held a public hearing at the February 18 meeting to receive public input on the issue. Public comment, both written and oral were submitted and received as part of this process. Council voted to hold the matter over for further discussion to the March 4 meeting. No additional information was requested by Council. The written comments that came in too late to be included in the 2/18 agenda package were made available for Council review.

Councilmember Whitley stated that he needed the last two weeks to review all the comments for and against partisan elections. He further stated that local elections should be non-partisan and he still feels the same way that it is best for the City to go non-partisan. The people elected Council to make tough decisions as this. Only a small percentage of cities in NC are partisan.

Councilmember Townsend stated that there is a reason for that because Albemarle does not have a good track record as far as diversity. He also stated that most of

the people he has spoken with since the public hearing think this issue should be decided by the people.

Councilmember Lowder stated that she does not support the change to non-partisan and the City has already spent time and money on this so far. She further stated that we are non-partisan anyway and she votes for the party first unless the person running for her party is unqualified. This is a political move and why are we doing this anyway she stated.

Councilmember Bramlett said he is concerned about issues from 1988 and that it may still be an issue. He does not want to spend money on a lawyer for this. Why not let the people decide, give them the opportunity to do so.

Councilmember Aldridge stated that republicans and democrats have come to him and want non-partisan elections.

Councilmember Hughes stated that when she campaigned, it was to all parties, it did not matter and does not matter in local government. She agrees with Councilmember Whitley that we are elected to make tough decisions sometimes and this is one of those times.

Councilmember Whitley moved to proceed with the change from partisan to non-partisan elections. Councilmember Hughes seconded the motion. Voting for the motion were Councilmembers Aldridge, Hall, Hughes, and Whitley. Voting against the motion were Councilmembers Bramlett, Lowder, and Townsend. The motion carried with a 4-3 vote.

Mayor Michael stated that if we go to non-partisan elections we will have to decide which method of non-partisan we want to use as:

- Plurality – no primary
- Run Off – no primary
- Non-Partisan with primary

Councilmember Bramlett stated that we need more discussion and cost on the three options for non-partisan elections.

It was the consensus of City Council that staff research the three methods of non-partisan elections and their costs and bring back before Council. The Mayor said that there will be a public hearing to approve the resolution supporting the change to non-partisan elections.

New Business

1. Discussion of Bids Received for Phase 2 Inflow and Infiltration and WWTP Rehab Project and a Loan Adjustment

Mr. Adam Kiker, LKC Engineering came before Council to discuss the Phase 2 Inflow & Infiltration project and improvements at the Wastewater Treatment Plant. It was noted that the I & I element is designed to help with this issue between Uwharrie Commons (formerly Delco Plaza) and Salisbury Avenue where the Phase 1 project stopped. The goal is to reduce unnecessary demands on the WWTP, and to lessen the likelihood of overflows on this line and possibly the Melchor Branch line. Also, new pumps and electric upgrades will take place at the WWTP. These improvements are part of a 6 stage process to improve the plant and address issues from the 2013 Notice of Violation.

Mr. Kiker stated the bids came in over \$1,500,000 above the estimate mainly due to a sharp increase in construction activity and pricing since 2016. City staff and LKC have met and they feel keeping the original scope of the project and borrowing the additional funds is the best way forward. The City Manager noted that the reasons are that additional funds can be secured at 0% and we need to continue with the agreed upon improvements at the WWTP. Changes to the I & I portion of the project may appear as though the City is not following through on the project as originally committed to with the affected property owners. The water and sewer fund is the healthiest of the City funds and does have the ability to fund this additional debt service cost.

Mr. Kiker stated that the next step in the process is for Council to make a tentative award to the selected contractors either at the bid amount or at a negotiated lesser scope and amount. If Council prefers to consider scope and price reductions with the low bidders, we can do that and return to the March 18 meeting for more discussion and action. The contract awards must be contingent upon the receipt of additional loan funds and the authorization to award issued by the funding agency.

Mr. Kiker answered any questions that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the City Council excused Councilmember Hughes from voting due to a family member being part of one of the companies that submitted a bid for these projects.

Councilmember Hughes left the meeting at this time.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the City Council made tentative awards to the following bidders at the amounts specified for Contract 1 and Contract 2 for Inflow and Infiltration and the Wastewater Treatment Plant rehabilitation project with loan adjustment (increase) of \$1,500,000.

Contract 1: DH Griffin Infrastructure, LLC for the low bid amount of \$2,988,560

Contract 2: Dellinger, Inc. for the low bid amount of \$2,403,000

The awards are contingent upon approval by the LGC and receipt of an additional \$1,537,650 in loan funds from the Clean Water State Revolving Fund program.

Councilmember Hughes returned to the meeting.

2. Request by Family to Purchase Deceased Officer's Service

Weapon

The family of Detective Sergeant Cindy Rinehart has requested to purchase her Service Weapon. The Albemarle Police Department's policy on service weapons allows the spouse or family of an officer that dies while a member of the Police Department to purchase their weapon. Ms. Rinehart was already separated from the department when she passed away. Also, the policy requires an officer to have 20 years of service to receive the weapon or be pro-rated according to their years of service. Ms. Rinehart had worked for the City for 12 years and her family would have to pay for 8 years if approved. The cost of the weapon when purchased was \$425.

$\$425 \text{ divided by } 20 \text{ years} = \21.25 per year

$8 \text{ years} \times \$21.25 = \$170.00 \text{ (amount to purchase weapon)}$

Upon a motion by Councilmember Aldridge, seconded by Councilmember Lowder, and unanimously carried, the City Council approved Ms. Rinehart's family being able to purchase her service weapon in the amount of \$170.00, contingent on a permit.

3) Ordinance 19-06 - To Appropriate Funds for Improvements Related to the Carolina Tree Top Challenge

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

ORDINANCE 19-06

4) Ordinance 19-07 - Establish a Project Budget for Improvements Related to the Carolina Tree Top Challenge

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

5) Consider Appointment to Historic Resources Commission

Planning and Development Services Director Kevin Robinson stated that Roger Martin has expressed interest in resigning from the Historic Resources Commission, but has continued to serve for several months while awaiting a new appointment to his seat. Staff has received an application from John Crawford to fill this seat,

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council approved appointing John Crawford to fill an unexpired term until July 1, 2020 on the Historic Resources Commission.

Comments

City Manager Michael Ferris stated that the NC League of Municipalities will have their spring meeting in Hickory May 14, 15, and 16. He stated that registration

is not yet open but he would like to go ahead and get a head count so registration can be done as quickly as it opens.

Mayor Michael and Councilmembers Bramlett, Hall, Hughes, Lowder, Townsend and Whitley confirmed their attendance.

Mayor Michael asked if all Councilmembers are comfortable with the list of strategic goals they reviewed and their priorities or do they need further discussion. Councilmember Hall asked that Council take time to look at this again before the budget process.

Mayor Michael stated that this can be reviewed with Council at the end of the regular session this evening.

Councilmember Townsend stated that at the Stanly County COG meeting last week in Oakboro, they mentioned an upcoming Litter Sweep throughout the entire state and Keep Stanly Beautiful encouraged the various municipalities to participate in some manner to help beautify our county/city.

Councilmember Townsend stated that staff always does a great job but sometimes we need to find out more information. He said that recently there was a break-in on North Fourth Street where 911 was called and it is alleged that several hours passed before Police got there. He asked that staff looked into this delay.

Councilmember Townsend asked that staff look at our regulations concerning taxi cabs. There was a fatality with a taxi cab recently and he is seeing strange cab companies here in town.

The City Manager stated that we presently do not have a taxi cab company here in the City and have not for at least 6-7 years, only a transportation company. There is a difference between the two where a transportation company cannot pick up someone on the fly, someone has to call their company to request transportation.

Ms. Ferris answered any questions that Council had.

Councilmember Hughes stated that at a past meeting Councilmember Townsend asked that Council determine ways to honor people or teams like the Albemarle Girls Basketball team and consider possibly having a Walk of Fame.

Mayor Michael stated that the Albemarle Girls Basketball team has not finished their season yet.

Councilmember Hughes said it would be nice to see what the community would be interested in doing. She asked that Main Street Director Joy Almond reach out to see other Main Street programs and what they do.

Councilmember Lowder stated that we need to appoint a committee to look into this concerning honoring Individuals and teams.

Councilmember Aldridge that a resident of College Park subdivision complained to him about 2620 West Main Street at the corner of West Main and College Drive. This was concerning several horses residing at the West Main Street property and the smell.

Councilmember Aldridge stated that a comment was made by the chairman of the school board member about the city being more concerned with partisan vs. non-partisan then the road construction near Wal-Mart. He said that he took offense at this comment and this road construction is being done on a state maintained street not a city street. The City Manager added the State was able to secure funds to address this as a safety improvement project.

Councilmember Hall stated that she has emailed Council information concerning juuling from Health and Human Services.

Councilmember Hall stated that the NC League of Municipalities have spring meetings coming up and she asked about the training for new staff members who may want to attend.

Councilmember Hall stated that these are NCLM 2019 RMS Regional Meetings (Lunch and Learn).

Councilmember Hall asked about the training for newly appointed Councilmembers by the UNC-School of Government. The City Manager said there will be a webinar that can be purchased sometime in May 2019 and we will find a time convenient to everyone to review at City Hall.

Councilmember Hall reviewed with Council events coming up in Stanly County:

Uwharrie Players - March 8, 9, 10 and March 15, 16, 17
The Doyle and Debbie Show
@Central Apartments Auditorium

The Talent Company – March 16
Little Women, the Musical
Agri-Civic Center

Stanly County Concert Association
Balsam Range – April 2019

Stanly County Chorale
Spring Concert – April 6, 7, 13

Stanly County Concert Association
Paul & Sophia Chandley
Agri-Civic Center - April 25

Stanly County Concert Band
Spring Concert

Councilmember Hall stated that she noticed a new pan-handler near NC Hwy. 73 and Main Street recently.

Councilmember Whitley stated that he would like to reassure Councilmember Aldridge on the paving issue of NC 24-27 because when they finish there, the State will also be paving East Main Street that people assume is a City street.

Councilmember Whitley stated that he would like to reiterate comments from Councilmembers Bramlett and Townsend concerning the litter on City streets and we need to do something to raise more awareness.

Councilmember Bramlett thanked the audience for being patient with him tonight.

Councilmember Lowder stated she appreciates Councilmember Hall's preparedness for these Council meetings.

Mr. Dave Andrews, 1010WSPC Radio, came before Council concerning the house at 121 Columbus that burned recently.

Mayor Michael asked that the Planning and Development Services staff check on this issue.

Mayor Michael stated that the meeting will recess for five minutes.

Mayor Michael brought the meeting back to order in the Executive Conference Room.

Mayor Michael stated that Council has a copy of the list of priorities and only number 1, 2, and 5 received a priority rating from all Councilmembers. The top 9 received a priority from at least 5 members. Numbers 10-14 has at least 4 priority ratings. After this the priorities were only one, two or three members per item. Some priorities

were tied as shown by the duplicate ranking. All items received at least one rating. The first nine show some consistency in our goals.

The Mayor said that while many of these may have received low priority, there are many of them that can be covered in our regular budgets as funds permit. This list gives staff some guidance to our thoughts as the budget is developed.

The City Manager stated that the top three are in the budget and will be accomplished and possibly # 6:

1. Albemarle Corporate Center
2. Police Department Headquarters Building
3. Fire Dept. SCBA Equipment
6. Evaluate adequacy of Fire Department

The City Manager stated that he has also looked at these possibilities in the list:

4. Overall City Appearance
5. Downtown Development

It was further noted that # 10 Technology Enhancements and #13 Pfeiffer Parkway Overlay on US Hwy. 52, we will be doing.

Mayor Michael stated that monies have to be available for the changes to employer contribution rates for Local Government Employees' Retirement System (LGERS). The board elects smaller increases over the next three years versus a large increase in Fiscal Year 2022-2023. At its meeting on January 31, 2019, the Board of Trustees amended its policy for employer contribution rates to LGERS.

Council continued discussion which included the need for a street sweeper and paving machine.

Council stated concerns of needing to stabilize the old fire Station behind City Hall including new roof and maybe electrical and plumbing.

The Mayor asked that the City Manager research costs and bring back before Council a plan for this.

The Mayor and the City Manager answered any questions that Council had.

Councilmember Hall stated that we need to consider non-smoking not only inside our buildings but outside as well.

Upon a motion by Councilmember Whitley, seconded by Councilmember Bramlett, and unanimously carried, the meeting was adjourned.