

REGULAR MEETING CITY COUNCIL

June 10, 2019

The City Council of the City of Albemarle met in a regular session on Monday, June 10, 2019, at 6:00 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 Lowder, Dexter Townsend and Chris Whitley. Absent, none.

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Mayor Michael called the meeting to order.

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Mayor Michael gave the invocation.

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Upon a motion by Councilmember Bramlett, seconded by Councilmember Hall, and unanimously carried, the minutes of the May 20 regular session and May 20 Closed Session minutes were approved as submitted.

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**Public Hearing**

**Consider Resolution for Financing and to Seek LGC Approval for the Construction and Renovation of a New Police Headquarters Building.**

As part of the process to formally secure financing for the Police Headquarters Construction and Renovation Project, the City Council is required to conduct a public hearing. A resolution seeking NC Local Government Commission approval will be considered. An affidavit of publication regarding the hearing notice is contained in the body of the resolution. No one spoke for or against this hearing.

Comments

Mayor Michael answered any questions concerning the proposal sheet from Pinnacle Financial Partners. He also stated that First Tryon negotiated the loan rate of 3.55% and the terms of payment.

It was the consensus of City Council to hold the decision over concerning the Pinnacle Financial Partners approval until a later meeting.

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

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

(Resolution 19-08)

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**Agenda Adjustments:**

Mayor Michael notated the following agenda adjustment:

1. Add item to Consent Agenda: Forest Hills Independence Day Parade Permit.

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

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**ANNOUNCED DELEGATION**

**Presentation of Master Plan Concept for new Cluster Subdivision on Morgan Rd.**

Michael Sandy gave an informal presentation to Council concerning a proposed major cluster subdivision on Morgan Road. This is intended as an informational session to discuss the proposed subdivision and approval process for cluster subdivisions of this type.

Mr. Sandy gave a PowerPoint presentation stating that Carolina Land Developers, LLC wants to bring a new subdivision here. This would occur in four phases. Phase I would entail 43 lots developed into residential housing each with a 4,200 sf lot zoned R10. There would be a total of 500 lots for all four phases of development with 90 acres of the total 168 acre tract left in open space.

Mr. Sandy answered any questions that Council had.

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**Consider Request for Annexation and Setting a Public Hearing for 12-acres on Morgan Rd.**

Michael Sandy for Carolina Land Developers is requesting to annex a 12 acre portion of property along Morgan Rd., tax# 6462. They are asking that a hearing date be set for July 8th. In addition to annexation, initial zoning will be considered as well as a CUP and subdivision approvals done in consecutive order if applicant is ready.

To proceed with annexation by July 8, the petition for annexation and clerk certification will be signed this evening and public hearing notice can be drafted in time for a notice to be published advertising July 8th. If these deadlines are met, an annexation Ordinance would also need to be drafted for the 8th.

Michael Sandy and Planning and Development Services Director Kevin Robinson answered any questions that Council had.

Councilmember Bramlett moved to approve moving forward with the annexation process of twelve acres on Morgan Road by setting a public hearing for Monday, July 8, 2019 at 6 pm. Councilmember Townsend seconded the motion. Voting for the motion were Councilmembers Aldridge, Bramlett, Hall, Hughes, Townsend and Whitley. Voting against the motion was Councilmember Lowder. The motion carried with a 6-1 vote.

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**ADMINISTRATIVE REPORTS**

**MONTHLY DEPARTMENTAL REPORT**

The Mayor stated that Council had a copy of the monthly departmental reports for May in their agenda packets and asked if anyone had any questions.

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**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.

Councilmember Whitley stated that the July 18 Rocky River RPO meeting in Monroe had been canceled.

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**CONSENT AGENDA**  
**Second Reading Ordinance 19-16 - Proposed FY 2019/2020**  
**City of Albemarle Budget**

This Ordinance unanimously passed first reading at the May 20 meeting where a public hearing was held. If passed on second reading, the budget will be approved and become effective July 1, 2019.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Whitley, and unanimously carried, City Council approved the second reading of the budget ordinance for 2019/20 and all consent agenda items as follows:

(Ordinance 19-16. To approve the FY 2018-19 Budget.)’

**Consider a Resolution to Adjust Landfill Fees for FY 19/20**

To increase the tipping fees for C&D and MSW from \$40.00 per ton to \$41.00 per ton and was a part of the 19/20 Budget proposal.

(Resolution 19-09)

**Consider Resolution Adopting Revisions in the Water & Sewer Rates Schedule**

This will be for billings rendered effective July 1, 2019. This provides for the 6.6% adjustment based on the 2019-2020 budget.

(Resolution 19-10)

**Resolution to Adopt Salary Schedule for 2019-2020**

The resolution and salary schedule provides a 2% Cost of Living increase for all City Employees as provided for in the FY 19/20 Budget. The increase will begin with the first pay period beginning in July, which is July 14.

(Resolution 19-11)

**Consider street closure for Tour De Elvis 5K and Block Party**

Albemarle Parks & Recreation will host the 10th Annual Tour De Elvis 5K race and block party. The event is to raise money and awareness for the Roger F. Snyder Greenway Fund. The 5K and block party will take place on Friday, July 26th from 5:30 p.m. - 9:30 p.m. and closing of Second Street from Main Street to North Street from 5:30-9:30 pm.

**Consider street closure for Forest Hills Independence Day Parade on Thursday, July 4.**

This parade in Azalea Park area of Forest Hills will be held between 10:30 am and 12 noon. Request to close Azalea Park from Ninth Street to Sixth Street and from Cannon to East Street. Volunteers will place barricades and remove them. Volunteers will also clean any debris following the event.

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**UNFINISHED BUSINESS**

**Recommendation to Commissioner of Insurance for Appointment to Fire Department Relief Fund Board**

City Council decided to hold this appointment decision over until the July 8 regular session meeting.

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**New Business**

**1) Consider Approval of Delivery Order 4515 Exterior and Interior Door Replacement Project**

Staff is requesting City Council approval of delivery order in the amount of \$96,000 with Stogner for A/E services for management of door replacement capital project in Amhurst Gardens and Elizabeth Heights. Mr. Stogner will prepare various bid options for the project, including complete replacement and/or rehabilitation of doors based on condition of doors. Once bids are received, staff will bring this before City Council for consideration and approval. Mr. Stogner provided a cost estimate for the work project. This delivery order will

need to be approved by City Council with the Mayor's signature. The HUD FY 2018 Capital Fund Program Grant will provide the funds for this service.

Mr. Stogner came forward and stated that there is approximately 2,558 doors to be completed and it will take around 10-11 months to complete and should be completed before next summer. The total project will cost around \$1,200,264.00.

Mr. Stogner answered any questions that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved delivery order 4515 with Stogner Architecture for A/E services for management of a door replacement capital project of exterior and interior doors at Amhurst Gardens and Elizabeth Heights in the amount of \$96,000.

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2) Consider a Budget Amendment

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

(Ordinance 19-20 – Budget Amendment)

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**3. Consider Street Assessment Rates for FY 19/20**

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

(Resolution 19-12 – To adjust street assessments fees for FY 2019/20.)

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**4. Proposal to rename Barnard Road to Hilco Street**

The City Manager noted that having the new road widening construction on Hwy 24/27 east, the NCDOT plans to make improvements to the City's intersection of Hilco Street and Barnard Road. Plans are to remove the right angle intersection and instead allow a continuous street through the addition of a curve. This in turn will give

the appearance of one continuous street from Hwy 740 N to Hwy 24/27 E. It has been requested that we change the current section of Barnard Road to extend Hilco Street.

There is a request for a public hearing for name change approval and to authorize the City Attorney to draft an Ordinance to make this change. After research, this will in turn only effect one business; East Albemarle Xpress Lube. They are agreeable to the street name change and have requested council to move forward with this now as they want to order new business documents and supplies with their new established address

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council approved setting a public hearing for Monday, July 8 at 6 pm to consider a name change for Barnard Road and to authorize the City Attorney to draft an ordinance to make this change.

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**5) Consider Bids Received for Surplus Scrap Metals Bid No. 2019-03**

Public Utilities received bids for surplus scrap metal on 5/23/19. Two companies submitted bids for consideration. Bid tabulation are attached showing (3) different types of scrap metal. Unfortunately, on the bid for aluminum wire, there was an error on Foil's Inc. where they showed a typo of \$.0195 instead of \$0.195. The UNCCH School of Government says where there is such a discrepancy between the unit price and extension (total) price, the unit price shall govern.

The City Manager noted that this is at Council's discretion, but it seems the fairest thing would be to accept the bids as submitted and award on this basis. Council also has the right to rebid, which may then cause issues for other bidders with correct bid figures.

Upon a motion by Councilmember Hall, seconded by Councilmember Bramlett, and unanimously carried, the City Council approved Bid Tabulation 2019-03 for surplus scrap metals awarding Butch's recycling the bid for solid brass, iron scrap metal and aluminum wire.

(Bid Tabulation 2019-03)

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**6) Consider Bids for Chemicals for Water Plants in PU**

Bids were taken on June 6, 2019 for chemicals to be used at TTWTP and 52WTP for 2019-2020. The Public Utilities Department is recommending Chemtrade Chemicals US, LLC. for 380 Dry Tons @\$269 Dry Ton of Alum and Trinity Manufacturing Inc. for 180 Dry Tons of Caustic @\$524 Dry Ton. Funds have been appropriated in the 2019-2020 budget.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Lowder, and unanimously carried, the City Council approved Chemtrade Chemicals US, LLC for 380 Dry Tons @\$269/Dry Ton of Alum and Trinity Manufacturing Inc. for \$180Dry Tons of Caustic @\$524/ Dry Ton.

(Bid Tabulation 2019-04)

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## **7) 2019-2020 Health Insurance Premiums**

HR Director Dana Chaney presented recommendations to modify employee medical premiums for 2019-2020.

Ms. Chaney noted that as the City is entering its 3<sup>rd</sup> year of being self-insured and the City has already begun to experience these benefits. We experienced savings that we have been able to put into cash reserves. A portion of these savings will be used to provide Life Scan physicals to employees later in 2019. The remainder will remain in reserve in order to cover any significant incurred health care expenses that exceed the current budget.

Ms. Chaney also stated that because we have been under budget for the first two years of the self-funding arrangement, our broker (NFP) recently communicated a reduced cost structure to the City for the 2019-2020 renewal. Overall premiums needed to fund our forecasted expenses will decrease by an estimated \$189,078. The HR Director worked with NFP to develop the following recommended rate structure for the 2019-2020 fiscal year:

**Employee Monthly Rate**  
**Employee Only** \$0.0  
**Employee + Spouse** \$550.00  
**Employee + Child(ren)** \$354.00  
**Family** \$850.00

Following Council approval, the recommended rates outlined above will be used in open enrollment for healthcare that will begin on June 17. Enrollment materials will be provided to all employees in the upcoming days.

Upon a motion by Councilmember Hughes, seconded by Councilmember Lowder, and unanimously carried, the City Council approved recommended rate structure for employee premiums for FY 2019/20.

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### **8) Consider Donation of Land to the City**

Mr. Emmons owns a parcel of land on South 2nd Street adjacent to Rock Creek Park that he would like to donate to the City of Albemarle. The parcel in question is on the right side as you enter the park and continues to the AA Hut. The City Manager agrees with Parks and Recreation that it makes good sense to accept this offer. If City Council would like to accept the donation, the City Attorney will draft the paperwork and we will proceed with the property transfer, barring any issues with the title search.

The City Manager noted that the majority of the parcel of land is in the flood way and undevelopable. Ownership of this land will give the City of Albemarle ownership of the sewer easement, room for routing of future pedestrian improvements, and beautification of the intersection and park entrance. Contingent on results from the title search, management recommends accepting the donation of land.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved accepting donation of a parcel of land on South 2<sup>nd</sup> Street adjacent to Rock Creek Park contingent on results from the title search.

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### **9) Consider staff Findings Concerning Ordinances related to Animals inside City limits.**

Planning and Development Services Director Kevin Robinson came before Council and reviewed the research and findings concerning ordinances in other municipalities in NC. He stated that no text amendments are being provided at this meeting and they are holding off until there is direction from Council as we have received comments that we should possibly relax current restrictions for some animals,

and comments that they should be tightened for other animals. He also said that if Council desires changes to what is currently in place, the City Attorney can be directed to draft an Ordinance to make the desired changes

Recommendations:

Pigs – recommends < 24” height, full grown, not more than 1 per household

Horses – recommends 1 acre of land per horse

Roosters – recommends not allowing in the City limits

Chickens – recommends allowing 20 or less

Rabbits – recommends not allowing in the City limits

Mayor and City Council asked that Mr. Robinson bring his recommendations back to City Council in writing for consideration at the July 8 regular session meeting.

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**10) Consider Approval of Write-offs for Public Housing Tenant Accounts**

Consider approval of Public Housing write-offs for period July 1, 2018 to December 31, 2018 in the amount of \$6,389.18. Please note the memo detailing the collection methods we continue to pursue regarding these debts. Even though we are writing these off for accounting purposes, we will continue to try to collect these bad debts through the Debt Set-off Program.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hughes, and unanimously carried, the City Council approved Public Housing write-offs for period July 1, 2018 to December 31, 2018 in the amount of \$6,389.18.

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**11) Information - City's Tobacco Use Policies**

The City Manager stated in his agenda comments that at the staff level, we have continued our discussion on various areas where we can continue to address employee health issues now that we have more ability and information to do so. In regards to tobacco use, there are resources and information we plan to provide to

employees to assist with the cessation process. Changing unhealthy behaviors by providing tools and resources is considered best practice and is a good first step towards a concerted effort to assist employees with tobacco cessation prior to any policy change.

Councilmember Hall stated that Councilmember Lowder is sharing with Council and Human Resources Director Dana Chaney, the Stanly County Board of Health recommendations for a Tobacco Use Policy. She asked that the ADDC Board of Directors consider smoke free at their facilities.

Councilmember Townsend asked that staff reach out to the Listserv to see what other cities do and bring back before Council.

Ms. Chaney stated that tobacco cessation support is part of the City's policy now.

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### **Comments**

Mayor Michael handed out to Council a copy of the preliminary choices for them to consider for the road construction to the Albemarle Business Center. Council reviewed three options displayed on a preliminary map from Chambers Engineering, PA.

Upon a motion by Councilmember Lowder, seconded by Councilmember Whitley, and unanimously carried, the City Council approved proceeding with the grant process using option 2 with realignment of Henson Street and Groves Avenue over to US Hwy. 52 Business with the design of Leonard Avenue section.

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Councilmember Hughes asked questions concerning the Smart Site sign placed at the entrance to the Albemarle Business Center on US Hwy. 52 South by ElectriCities.

Councilmember Hall stated the City needs a separate sign stating that this is a 282 acre City owned Business Park for business development with industrial sites available for sale and place under the ElectriCities sign.

Councilmember Hall moved to add a sign under the ElectriCities sign stating that this is an industrial park with sites available for sale, Councilmember Hughes seconded the motion. Voting for the motion were Councilmembers Aldridge,

Bramlett, Hall, Hughes, Townsend, and Whitley. Voting against the motion was Councilmember Bramlett. The motion carried with a 6-1 vote.

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The City Manager stated that the recycle event will be Saturday, July 20 at the Niven Center. This will allow paper shredding and electronic recycling.

The City Manager stated that a news release was published today concerning public awareness of changes in drinking water. This is due to sudden and early stretch of hot weather and organic changes taking place in the raw supply water that is the source of the City's drinking water. These changes occur each year but normally occur later in the season and more gradual. We have received reports from some customers of taste and odor issues with their water.

The City Manager further stated that the water has been tested and there are no issues with the quality or safety of the water while it may have an earthy taste. We are changing treatment processes to address this issue and flushing across the system to move the water out of the system. Improvements have already been observed since these changes were put into place. It may be toward the end of this week before the condition is eliminated. For additional information or if anyone has concerns, the Water and Sewer personnel will investigate and test your water by calling 704.984.9605.

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Councilmember Townsend asked if road construction on East Main Street will be completed as planned by June 30. Mayor Michael stated they have been given an extension due to wet weather and maybe completed by September.

Council Member Townsend asked the City Planning and Development Services Director, Kevin Robinson, about how many houses had been burned or removed and how many were remaining to be burned down or demolished in the current fiscal year. Mr. Robinson informed Council that there were 5 that had been burned and awaiting clean-up, with another 3 ready to be burned and one to be demolished in June. He also explained the delays were due to funding issues with the community college that provides compensation for firemen hours on training burns and that there would be monies available to begin with removal soon.

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Councilmember Aldridge thanked the City Manager for the water issue information because he had received several complaints from residents.

Councilmember Aldridge asked that staff look at the driveway going into Chuck Morehead Park due to so many potholes.

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Councilmember Hall asked about the fence in Amhurst Gardens with the vegetation growth in response to the recovery plan that was submitted to HUD. Public Housing Director Cedric Baldwin stated that this is in process of being corrected.

Councilmember Hall asked that staff look at the street signs due to a complaint from someone who said a lot of them are crooked.

Councilmember Hall reminded Council of the event at Amhurst Gardens on June 14 and 15 from 11-2 pm each day.

Councilmember Hall reminded Council of the Carolina Treetop Challenge this Friday, June 14 at 4 pm.

Councilmember Hall stated the county lost a 19 year old due to domestic violence last night. She encouraged anyone if they know of these type issues to help them or get help for them. I ask Mayor and Council for their prayers for her family.

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Councilmember Whitley thanked Council for the flower arrangement after his surgery.

Councilmember Whitley thanked everyone for the information in the Departmental Reports each month.

Councilmember Whitley commented that Dinner on Main was a success.

Councilmember Whitley asked about the bill in NCLEG to use in house labor on the City's business park.

Councilmember Whitley mentioned the Department of Labor safety award event Monday at the hospital. There will be 7 different awards given per HR Director Dana Chaney.

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Councilmember Bramlett stated that at the last Pfeiffer University Board of Trustees meeting, the new President, Scott Bullard was welcomed.

Councilmember Bramlett stated that Pfeiffer's Physician Assistant 1<sup>st</sup> Class will begin in January 2020 and they are now accepting applications. The program will begin with 24 students with up to 300-500 applications.

Councilmember Bramlett said that Pfeiffer will end up having 270 graduate students living and going to school downtown Albemarle in the future.

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Councilmember Lowder stated that it is hard to see when you are free to travel where 1<sup>st</sup> and 2<sup>nd</sup> Street merge together. Also, the entrance of NC 24-27 west is not marked clearly. Mayor Michael stated that they will speak with NC DOT about this.  
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Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to N.C.G.S. 160A-318.11 N.C.G.S. 160A-318.11 (a) (1) (3) (5) & (6) – To prevent disclosure of information that is privileged or confidential pursuant to the law of this state, To Consult with the City Attorney, Real Estate, and Personnel.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the Mayor and City Council returned to open session. Mayor Michael announced that a closed session was held Pursuant to N.C.G.S. 160A-318.11(a)(1) (3) (5) & (6) – To prevent disclosure of information that is privileged or confidential pursuant to the law of this state, To Consult with the City Attorney, Real Estate, and Personnel and there was nothing to discuss at this time.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the Mayor and City Council authorized staff to attain a contract attorney for legal services with Parker Poe for advice concerning contractual issues with Landfill projects.

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Upon a motion by Councilmember Hughes, seconded by Councilmember Bramlett, unanimously carried, the meeting was adjourned until Monday, July 8, 2019, at 6:00 pm for a regular session meeting.