

REGULAR MEETING CITY COUNCIL

September 3, 2019

The City Council of the City of Albemarle met in a regular session on Monday, September 3, 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 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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**PRESENTATION OF A CITY OF ALBEMARLE -  
RETIREMENT RESOLUTION**

Mayor Michael presented Johnny Lambert a retirement plaque who retired from the City on August 1, 2019 with 28.58 years of service.

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Upon a motion by Councilmember Aldridge, seconded by Councilmember Lowder, and unanimously carried, the minutes of the August 5 regular, August 5 closed session, August 6 adjourned session, August 19 called session, and August 19 closed session session minutes were approved as submitted.

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**PUBLIC HEARING**

**Consider Ordinance 19-25 - Rezoning of 802 Salisbury Ave Tax  
Record 35723 from R-8 to GHBD**

Request from Robert Lee Hathcock, applicant, and Chucky L Nance, owner for City Council to conduct a public hearing and consider the requested rezoning of a 0.72

acre parcel located at 802 Salisbury Rd from R-8 Two Family Residential to GHBD General Highway Business District. The proposed use would be an auction house.

### Comments

Planning and Development Services Director Kevin Robinson stated that this is a rezoning request for 802 Salisbury Avenue concerning a building on a ¾ acre lot owned by Chucky Nance requesting a zoning change from R-8 to GHBD to use building as an auction house.

Owner – Chuck Nance

Applicant – Robert Lee Hathcock

#### Speakers – Neighbors Against this rezoning:

Joel Grudger -721 Salisbury Avenue

Donna Efird -720 Salisbury Avenue

Attorney Kirk Bowling with Bowling Law Firm came forward and stated he is here this evening on behalf of the owner, Chucky Nance. He said Mr. Nance purchased this property in December 2017. He also stated that Mr. Nance had completed building improvements such as roof, windows and paint. He argued that there had been no change in use per the City Coordination form. Mr. Nance had leased the building to Robert Hathcock, III on May 15, 219 to use as an assembly hall. Mr. Hathcock continued doing improvements and came to get a permit and the coordination form was revoked.

Mr. Bowling asked that this be referred back to the Planning Board and that individuals in litigation with State or Federal court recuse themselves and not be a part of the decision for his client, Chucky Nance. His client would then be assured of the decision being made with a fresh look on this decision.

Mr. Robinson stated that this is a NC building code classification not a zoning classification. He stated that the coordination form was signed by Senior Planner Nasser Rahimzadeh who is no longer with the City. He also stated that Mr. Nance was informed at the time of application that this is not allowed concerning the Chapter 92 Zoning Ordinance. An assembly hall is a building code classification where an auction house is a defined use in the Zoning Ordinance and is not permitted in the R8 Residential District.

City Council continued their discussion concerning if other municipalities allow auction houses in the R8 zoning, or by conditional use in the R8 zone.

Mr. Robinson answered any questions that Council had.

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

Upon a motion by Councilmember Aldridge, seconded by Councilmember Bramlett, and unanimously carried, the City Council tabled this public hearing and ask that City staff look at other municipalities that allow auction houses in the R8 zoning, or by conditional use in the R8 zone.

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## **PUBLIC HEARING**

### **Consider Ordinance 19-33 - Amendments to Flood Damage Prevention Chapter 93 of City ORDINANCE**

This is proposed amendments to Chapter 93: Flood Damage Prevention. These amendments are proposed primarily to address FEMA and NCDPS recommended changes to bring City code into compliance with State and Federal standards

#### **Comments**

Planning and Development Services Planning Specialist Ellie Shield presented proposed amendments to Chapter 93: Flood Damage Prevention. First, the markups were not highlighted on the .pdf version Council received. These amendments are proposed primarily to address FEMA and NCDPS recommended changes to bring City code into compliance with State and Federal standards. In order for residents and businesses to be able to purchase federally-backed and affordable flood insurance with the National Flood Insurance Program, the City is required to adopt and enforce ordinances that comply with Federal and State laws

Ms. Shield stated that these changes will update the ordinance in accordance with the minimum criteria of the National Flood Insurance program. Inability to adopt these changes may jeopardize the City's standing with FEMA and our participation in the National Flood Insurance Program. All of these changes have been reviewed and given tentative approval by staff at the Dept. of Public Safety and FEMA. City Staff believes none of these changes significantly alter the intent and purpose of the Ordinance, and all changes put Albemarle in a much stronger position to become a Community Rating System any optional items that staff felt further restricted development in these areas, was not included unless required. Staff inquired about further clarification of development exemptions and no other community wrote back saying they had incorporated these

exemptions. The state recommends not incorporating such exemptions into the ordinance as it would provide Flexibility on a project to project basis.

Ms. Shield answered any questions that Council had.

No one spoke for or against this hearing.

Councilmember Hall stated that she had no issues with moving forward with the markups in front of Council due to all corrections proposed are placed in the proposal.

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

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

(Ordinance 19-33 – Amendments to the Flood Damage Prevention, Chapter 93.)

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## **ANNOUNCED DELEGATIONS**

### **Ms. Loretta McLester, 3204 Greenwood Park Circle. To Request Consideration for a Water Leak**

This is Ms. McLester's mother's house (Ms. Trullie Smith) and it is currently unoccupied. She had the commode leak repaired by a plumber but she does not have a bill from the plumber because he corrected the issue for no charge. Ms. McLester has requested this item be considered by City Council as it is outside the City policy. The policy does not provide for water adjustments for inside leaks. It also does not allow for a sewer adjustment since the water did enter the sewer system and was treated.

The City Manager noted that if the policy did apply for water, the adjustment would be for 50% of the overage above the 12-month average. Again, no adjustment for sewer since it entered the system and was treated. If it was a case where it did not enter the system, the entire amount of the sewer overage could be waived according to the policy because there would be no cost to the City.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved a water adjustment for 3204 Greenwood Park Circle in the amount of \$757.41 therefore charging her for only 780 cubic feet instead of 13,794 cubic feet.

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**Ms. Rshonda Corpening, 727 Elizabeth Avenue. To Speak  
Concerning an Abandoned Property Next Door**

Christopher Carrothers sent pictures of the dilapidated vacant building adjacent to Rshonda Corpening's. Ms. Corpening is requesting all pertinent information in regards to purchasing to remove this eye sore from her community and mostly from next to her home. With a building being vacant it attracts rodents, snakes and vagrants who may or may not partake in illegal activities and she feels her personal safety is being compromised.

The City Manager noted that the Albemarle Police Department had made contact in the past with a state association regarding maintaining and securing this property. This resulted in improvements for a period of time. In terms of removal of the structure, we cannot take any action as this is a non-residential structure and we do not have a commercial maintenance code in place.

In advance of the meeting Tuesday evening, the City Manager asked the Police Department to make contact with the State Elk's Association to let them know the problem this property is creating. Police Chief David Dulin stated at the Tuesday evening Council meeting that he had spoken with William Smith, the District Deputy for the Improved Benevolent and Protective Order of the Elks (IBPOEW) and he has advised that the Elks will be in contact with a Realtor to place the property up for sale. He did not give a date but advised they are working on it now.

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**Dr. Laura Harbeson, 2620 W. Main Street - To Discuss Recent  
Changes to the Rules for the Keeping of Horses**

The changes enacted by City Council on August 5 have made her previously compliant operation now non-compliant and Dr. Harbeson would like to address City Council regarding this matter. She has also provided several letters of support for her operation. Dr. Harbeson reviewed with Council the binder information that she gave to each of them. She stated the name of her firm as Creative Counseling &

Learning Solutions and the name of her rescue/therapy horses Sage and Saffron. They are certified with ESARA as emotional support animals. Also, CCLS Family Services board members and their contact information. All the letter/emails that Council reviewed were in the binder.

She reviewed the six items those neighbors against her had:

1. That she claims to be a counseling agency and horses rescue horses but they never see them being petted.

**Dr. Harbeson's response: We are a counseling agency and horse are registered emotional support animals and are rescue horses, both having disabilities which result in no one being able to ride them but an average of 4 clients per day work with the horses as a part of their counseling treatments. The clients, staff, counselors, and volunteers also spend time with the horses and they are truly loved and a crucial part of the therapeutic team.**

2. They stated that the horse had gotten out of their pasture a minimum of 6 times and continue to get out.

**Dr. Harbeson's response: She stated that the horses got out 3 different occasions in April 16, 18, and 21, 2019. The Albemarle Police responded and assisted them with getting the horses back into their pasture. The solar panel box failed to produce power to the electric fencing so the horses were able to maneuver through the gate. The solar panel box was replaced and we installed an additional reinforced gate. Since this was installed over 4 months ago, the horses have not gotten out.**

3. They claimed that they are unable to enjoy their pool for the smell of horse poop.

**Dr. Harbeson's response: She has someone remove the manure from the pasture every week. They have hundreds of clients, families, and professionals at our site and NO ONE has ever reported concerns about the smell. Dr. Harbeson has visited the College Park neighborhood and some that live on Poplins's Grove Road to ask and No One stated concerns with a smell and they love having the horses close by as they were nice to look at and support us continuing to provide our services from this same location.**

4. They claim that the horses are kept in a pasture that is only  $\frac{3}{4}$  of an acre

**Dr. Harbeson's response: The horses are kept in a pasture that is just under 1  $\frac{1}{2}$  acres. As our horses are not ridden, cannot run due to their medical disabilities, and are constantly provided high grade fescue hay and senior horse feed daily, our horses do not require any grass at all. Previously our pasture area was in compliance with the City ordinance that was in place. The pasture was**

**designed with the consultation of our veterinarian who is on our board of directors, our equine specialist on staff, and Albemarle Zoning and Planning Director's approval.**

5. That the horses are kept in a metal shed that has a low roof which is not appropriate for them.

**Dr. Harbeson's response: When the Albemarle Police responded to the calls in April, they became familiar with our horses and our equine-assisted therapy programs. Two of the officers were so moved by what we do and how sweet the horses were that they asked if they could help me with anything at our facility that would support the horses. She mentioned that although they had shelter from adverse weather from the trees in one part of the pasture, I was hoping to provide them with another option for getting out of the sun, rain, cold, etc. We worked together to remove the front wall of a chicken coop that is in their pasture so that they could go in and out of the shelter. The horses are NEVER kept in this shelter, and it is not a barn or stall. It is simply a roof with 3 walls that they can easily enter and exit. They have plenty of headroom inside.**

6. They are worried about the horses as they are not well cared for.

**Dr. Harbeson's response: It is irresponsible, insulting, ignorant, and uninformed to suggest that these horses are abused and not being taken care of. They are loved and provided TONS of attention from clients, staff, and myself. Every 6 weeks the horses are visited by our farrier to have their hooves trimmed and Saffron to have special shoes put on her front feet to treat her navicular disease in her front legs. The horse are regularly vetted and up to date on all shots, worming treatments, and have regular checkups. Sage has stomach ulcers from past significant physical abuse and neglect and has routine endoscopic testing and is treated with special feed and medication as needed. Sage had an eye infection and was treated immediately with round the clock care from our Vet and staff assisted in providing her needed medication every 2 hours 24/7 for the month before the equine specialist recommended that her eye be removed. Although our horse's medical needs result in extremely high costs, they are invaluable to us and to our clients and we have never neglected or abused them in any way.**

Those speaking in support of Dr. Harbeson and her horses at 2620 W. Main Street were as follows:

<u>Name</u>	<u>Address</u>
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Heather Lewellen	549 Wade Rd. Oakboro, NC
Carla Shepherd	2715 Plantation Way, Albemarle NC
Shonna Tarlton	104 Waddell Rd. Rockingham, NC
Jerry Meyers	208 Royal Ave., Albemarle, NC
Shaunna Burns	17327 Baldwin Hall
Jessica Ledbetter	24106A St. Martin Rd. Albemarle, NC
Jon Ledbetter	24106-A St. Martin Rd. Albemarle, NC
Rachel Turner	1918 Woodhaven #1, Albemarle, NC
Gabrielle Shepherd	480 Anderson Grove Ch. Rd., Albemarle, NC
Mandy Lewellen	124 E. South St., Albemarle, NC
Joy Vaughn	20007 St. Martin Rd., Albemarle, NC
Rosolena Conroy, M.D.	1918 Randolph Rd., Charlotte NC
Sarah A. Lowman	218 Wilson Street, Albemarle, NC
Anna Kahl	44513 Millingport Rd., Richfield, NC
Monica	(CONFIDENTIAL)

Those sending emails in support of Dr. Harbeson only that Council reviewed that did not speak:

Name

Kiana Habeebullah  
 Ryan Hinson  
 Amy Coleman  
 Angelia Morris  
 Brittany Fraley  
 Cathy Troublefield  
 Diahna Wallace  
 John-Nelson Pope  
 Heather Nicole Hudson  
 Jacqueline O'Neal  
 Lin Weiker  
 Stacy Waters  
 Tisha Brown  
 Kara Finch  
 Sgt. Carrie Mahalie, Stanly County FTO/Paramedic  
 Cheryl Harris, Cabarrus County DHS, Child Welfare Dept.  
 Dawn F. Braswell  
 De'rese Gooden, LPC, NCC, Ma, Licensed Professional Counselor  
 Katherin Pike, DVM  
 Justin Bridges  
 Karino Sedano  
 Rachel Grimes, LCSW



Sarah Sullivan, Masters of Counseling, UNC-Charlotte  
Tamatha Lucas  
Unique Blessings  
Symphony Dejesus  
Amy Yow, Director of Butterfly House

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**Mr. Jim Runyon, 2604 Oaklawn Court - To Speak Against Allowing Horses in the City Limits.**

Mr. Runyon stated that he represents the 19-20 neighbors here tonight concerning horses in the City limits. He wants to be able to enjoy his property there and that they pay City taxes. He mentioned the smell and flies coming from the property at West Main Street. He mentioned the 911 calls concerning the horses being out earlier this year.

Mr. Runyon talked about the City ordinance Chapter 81.082 that prohibits large animals and the encroachment on the well-being of others.

The City Attorney reported that it was his opinion that any operation in compliance at the time of a recent change to the Animal and Fowl regulations would probably be allowed to continue (grandfathering). He did note that the use could not expand, but that it may continue at its current level or less.

City Council continued discussing the verbiage in the minutes from the August 5 public hearing concerning grandfathering this situation at 2620 West Main Street or any other like it in the City when approved by Council.

The City Attorney answered any questions that Council had.

**AGAINST HORSES IN CITY LIMITS**

Ms. Pam Lambert, 105 Royal Avenue, came before Council to speak against having horses in the City limits due to them not being taken care of properly, the effect on property values, and smell. She stated that she and her neighbors were there first and they need to be able to enjoy the property they have worked hard for.

Councilmember Townsend moved to move forward and grandfather Dr. 2620 West Main Street into the Ordinance and anyone else affected before the ordinance change on August 5, 2019. Councilmember Whitley seconded the motion. The motion failed with a 2-5 vote. Voting for the motion were Councilmembers Townsend and

Whitley. Voting against the motion were Councilmembers Aldridge, Bramlett, Hall, Hughes, and Lowder.

Councilmember Aldridge stated that Council should preview the video of the August 5 meeting and speak with Planning and Development Services Director Kevin Robinson.

The Mayor asked that these two groups, for and against Chapter 81: Animals and Fowl work together allowing horses in the City limits and come together in some type of agreement for the betterment of both groups.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge, and unanimously carried, the City Council requested the City Attorney to clarify the grandfather clause with the UNC School of Government and get back with Council at its regular meeting on September 16.

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### **UNANNOUNCED DELEGATIONS**

Mr. Peter Ascuitto with Vac and Dash gave a shout out to Albemarle Parks and Recreation for their assistance with the Vac & Dash Cross Country Classic at Chuck Morehead Park. Parks and Recreation Director Lisa Kiser and her staff did a fantastic job getting the course ready for over 250 runners. Plus, the new dog park and the shrubs around it look great! Cross Country is upon us and there are about five meets at Albemarle City Parks this year.

Mr. Ascuitto also gave another shout to the Albemarle Police Department with their help at the Waffle House Run. They did a great job monitoring the NE Connector to keep the runners safe.

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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.

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### **CONSENT AGENDA**

## **Consider Declaring Surplus and Order the Sale of Two Police Motorcycles**

Police Dept. is requesting the City Council declare surplus and order the sale of two Police motorcycles. The City Manager can declare surplus and order sold items estimated to be less than \$5,000 in value. These motorcycles are estimated to bring in more than this and therefore requires Council action.

## **Consider Resolution of Support of 2020 Census**

(Resolution 19-21 – To support and help publicize the upcoming Census)

## **Ordinance 19-30 - To Amend the Times of Certain School Zone and One-Way Street Designations**

(Ordinance 19-30 - To amend the time of certain school zones and one-way street designations.)

## **Ordinance 19-31 - Budget Amendment**

(Ordinance 19-31 - To amend the fiscal year 19-20 budget to appropriate insurance proceeds for Police, Water/Sewer, and Electric as well as a refund to Public Works from NCDOT)

## **Ordinance 19-32 - To Establish a Handicapped Parking Space on West North Street**

(Ordinance 19-32 - To Establish a Handicapped Parking Space on West North Street)

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved the Consent Agenda as submitted.

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## **UNFINISHED BUSINESS**

### **Discuss Proposed Changes to Chapter 92 related to Sidewalks and Landscape**

A member of City Council has asked that this item be placed on the agenda for discussion. The changes previously requested by City Council will be presented in ordinance form as part of the public hearing scheduled for September 16. However, this does not preclude City Council from discussing the matter on the 3rd.

The City Manager noted that since there seems to be some confusion as to when sidewalk and landscaping is currently required and when it is not, the Planning Staff has developed a chart for clarification. It also reviews the requirements of some other jurisdictions. There are also a few items to mention that we want Council to be aware of so that issues are not inadvertently created down the road. Also, he noted that in thinking about the City's focus on appearance issues and what is occurring when a lot is being rebuilt, it might be easiest to install landscaping in a parking area when it is being rebuilt.

Planning and Development Services Director Kevin Robinson reviewed his research of other cities and counties concerning requirements for sidewalks and landscaping and when they are required whether a change in use, expansion of a building, greenfield building, greenfield parking lot, expansion of parking lot, resurfacing with a new layer of asphalt, or repaving by removing and replacing.

Mayor Michael stated that Council may want to have the public hearing before Mr. Robinson makes changes with a proposed new ordinance. Mr. Robinson can then draft an ordinance for consideration.

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## **NEW BUSINESS**

### **1 Discussion of SOC (Special Order of Consent) application for Wastewater Treatment Plant and Collection System of W&S Division**

Adam Kiker, LKC Engineering, reviewed the approval of the Special Order of Consent application relative to the Wastewater Treatment Plant and the Collection System of W&S Division of Public Utilities Department. Unfortunately, rain events of fall 2018 created major challenges and significant high flow events resulting in solids washing out and loss of nitrifiers, creating other compliance challenges.

The City Manager noted that the City has committed millions to upgrade the wastewater collection and treatment infrastructure. Activities such as a system testing and analysis, Phase 1 and Phase 2 inflow and infiltration projects, electrical upgrades and other improvements to the WWTP, our annual work to seal and vent manholes throughout the system, the installation of smart manhole lids, and other activities. The City has been very aggressive with improvements and are hopeful the City will receive additional grants and loans from the State once we execute the SOC, as our system and plant receives and treats wastewater from a significant portion of the County.

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, and unanimously carried, the City Council approved the Special Order of Consent application and resolution for the Wastewater Treatment Plant and Collection System of the Water/Sewer Division.

(Resolution 19-23. To approve the City Manager to sign and execute SOC agreement on behalf of the City of Albemarle as amended.)

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## **2 Mr. Adam Kiker, LKC Engineering-To Discuss a Resolution for Sanitary Sewer Rehabilitation Phase III**

Adam Kiker, LKC Engineering, presented a resolution that authorizes submission of a funding application for a Sanitary Sewer Rehabilitation, Phase III project in the amount of approximately \$6,280,000. This project will cover the replacement of the west-side outfall, from WWTP northward to the area between City Lake and NC Highway 73. The City has already made improvements that staff was able to perform in-house, which was the project to replace the sewer line inside the Wastewater Treatment Plant property. The City will also seek funds to include Year 2 and Year 3 electrical improvements at the Wastewater Treatment Plant. All of which will address SOC issues. Estimating we receive a loan as we have in the past at 0% for 20-years, the annual debt obligation to the City would be approximately \$314,000. A 1% rate increase brings in just over \$100,000 annually to the Water and Sewer Fund, so this would result in an approximate 3.1% increase to cover the current estimated cost of the project and loan. Kiker discussed the timeline of applying for the funding, bid process, beginning of construction, and completion of project.

Mr. Kiker believes it will be a requirement of the Special Order of Consent that the City make plans to move forward with Phase 3 Sewer Rehabilitation. Trying to determine the impact of this project on rates has to do with the final project cost, the interest

rate charged by the State if we are awarded, and how much in grants, if any, the City is awarded.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hughes, and unanimously carried, the City Council approved a resolution for Sanitary Sewer Rehabilitation Phase III as amended.

(Resolution 19-22. For Sanitary Sewer Rehabilitation of Phase III.)

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### **3) Consider Approval of Change Order #1 for Contract 1 of Phase II**

Mr. Adam Kiker, LKC Engineering, is seeking approval for Change Order #1 for Contract 1 (DH Griffin Infrastructure) in the amount of \$10,804.90. The Change Order is warranted because the sewer line under Salisbury Avenue is 30" in diameter rather than 24" in diameter like the sewer line immediately upstream. It was noted that since this line is under Salisbury Avenue, it is not scheduled to be replaced but rather rehabbed through a pipe lining system. Because the existing pipe is 30" in size, the lining system must also be 30" in size. The Change Order will covers the cost to upsize the lining system from 24" to 30" in diameter.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Lowder, and unanimously carried, the City Council approved change order #1 for Contract 1 of Phase II in the amount of \$ 11,345.15.

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### **4 Update to Council by Special Events Committee**

Councilmember Hall and Parks and Recreation Director Lisa Kiser updated City Council on progress of Downtown Albemarle Autumn Extravaganza and the member's names that have volunteered for this committee.

Thursday, October 24, 2019: Fall Festival & Kids Costume Parade 5-7 pm

Friday, October 25, 2019: Scary Movie @ Central Auditorium  
Ghost Walks downtown throughout the evening

Saturday, October 26, 2019

Farmers Market closing day w/craft show  
@ Market Station 8-12 noon  
Autumn Street Festival 12-4 pm  
Jack O' Lantern Jaunt 5K starts @  
Vac & Dash 4 pm

Councilmember Hall stated that the Special Events Committee will be meeting tomorrow night at 6:30 pm at Market Station.

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## 5 Quarterly New Business Update

Planning Director Kevin Robinson gave the following business update to Council.

<b>Name of Business</b>	<b>Type</b>	<b>Service Address</b>	<b>New Jobs</b>
Meineke	New Business	512 NC 24-27 Byp E	7
A Team Moving and Furniture	New Business	304 Montgomery Ave.	8
Uwharrie Welding	New Business	705 Concord Rd Ste f	1
Uwharrie Soap Company	New Location	114 E Main St.	0
"Mario's T-shirt Shop" (tbd opening soon)	New Business	2019 W Main St	2
Rush Impact Marketing	New Location	126 N 2nd St.	1
4 Rivers	New Business	124 W Main St.	4
Elite Uniforms and Shoes	Change in Name	138 S 1st St.	0
740 Motors Inc	Business Expansion	136 NC 740 Hwy	1
Phillippy's	New Business	310 Montgomery Ave.	1
Total			25

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## 6 Ethics Training for Recently Elected and Re-Elected Officials

The City has purchased the webinar and those elected and re-elected in the 2018 election cycle have 12-months from the election date to complete the training. Each person required to undergo the training shall self-report by completing a form

certifying they have received the training and provide the form to the City Clerk for record-keeping with the City.

The City Manager noted that he had been provided with a code to use for the training, meaning it can be viewed individually or as a group. He also contacted two different individuals at the UNCCCH SOG about allowing elected officials from other jurisdictions to view the webinar we purchased and he had not heard back from either. If City Council would like to view the webinar as a group, a day and time can be selected and we can use the community room. It can also be viewed on their personal computer or a City computer for anyone that would like to watch individually.

Councilmembers Hughes, Lowder and Whitley will let the City Manager know what they would like to do.

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## **7 Consider Road Closures and Fee Waiver for Pin-ups and Pumps Car Show**

Ester House and Tiffany's at the Boardroom are co-hosting the Pin-ups and Pumps Car Show on Saturday, September 14th from 4:00 pm - 9:00 pm

The event will need the following road closures from 1:00 pm - 9:30 pm:

- \* Main St from Third St to Depot Street
- \* Third St from North St to South Street
- \* Depot St from North St to South Street

The Fire Department has expressed concern if the event closes North Street and South Street as the application could be interpreted. The reason for the concern is that if Main, North and South Streets are all closed, this creates a significant detour for east-west emergency traffic. We hope that what they are requesting is to close the streets up to North and South Streets while leaving these open. We will also try to get in touch with a representative prior to the meeting. It was clarified by the applicant that North Street and MLK Drive will remain open during the event.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Lowder, and unanimously carried, the City Council approved road closures and fee waiver for Pin-Ups and Pumps car shop on Saturday, September 14 from 4-9 pm.

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## **8 Consider Road Closure for Albemarle High School Pep Rally**

Albemarle Downtown Development Corporation is hosting a pep rally for Albemarle High School on Friday, October 18th from 5:00 pm - 7:00 pm. AHS Cheerleaders, Dance Team, and Pep Band will perform. The pep rally will also consist of recognition of alumni through the decades.

Road closure: \* 2nd St from North St to Main St.

Upon a motion by Councilmember Hughes, seconded by Councilmember Townsend, and unanimously carried, the City Council approved road closure and fee waiver for Albemarle High School Pep Rally on Friday, October 18 from 5-7 pm.

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## **9 Street Lighting on NC 24/27**

Mayor Pro-Tem Hall mentioned at the August 19 meeting that an individual inquired about street lighting on Hwy 24/27 between Hwy 52 and Belk department store, specifically that some areas are not well lit.

Council was provided an update that the typical procedure for street lighting is for the Public Utilities Department to map the existing poles and lights if a request is received. This is reviewed by the Public Utilities Department and City Manager. If there is a location that does not meet our policy, then a light can be added. If the City policy is met, potential extenuating circumstances are reviewed and the City Manager makes a decision regarding the matter. Also, on a State Highway system, the NCDOT does not provide or pay for lights on roadways such as NC 24/27. The City at their expense will place street lights on State roads where we have existing electric service and poles, which is why State roads inside the City are mostly illuminated while these same roads are not outside the City limits are not.

Mayor Michael stated that the area in question appears to meet the City's policy with one potential exception which will be reviewed and corrected if necessary.

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## **10 Information - Windstream Fiber Internet Update**

Councilmember Hughes requested an update on the Windstream 1-Gigabit Project. Council reviewed the questions posed by Councilmember Hughes and responses provided by Stacy Hale, Windstream- President of Field Operations & Engineering.

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### **Comments**

Upon discussion, the City Council decided to leave the Tuesday, September 17 adjourned session meeting reviewing Commercial Maintenance Codes as is.

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Upon a motion by Councilmember Lowder, seconded by Councilmember Hughes, unanimously carried, the meeting was adjourned.