

REGULAR MEETING CITY COUNCIL

September 16, 2019

The City Council of the City of Albemarle met in a regular session on Monday, September 16, 2019 at 7:00 p.m. in the Council Chambers of City Hall. Mayor Ronnie Michael presided, and the following Councilmembers were present, to-wit: Mayor Pro Tem Martha Sue Hall, Bill Aldridge, Chris Bramlett, Martha E. Hughes, Shirley D. Lowder, Dexter Townsend and Chris Whitley. Absent, none.

Mayor Michael called the meeting to order.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Lowder, unanimously carried, the minutes of the September 3 regular minutes were approved as submitted.

Agenda Adjustments

1. Move New Business Items #12 and #13 before the public hearings.

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

NEW BUSINESS ITEMS #12 AND #13

1. Discuss Painting of City Fire Hydrants for Pediatric Cancer Patients

The Mayor and Council received a request to allow individuals or groups to adopt and paint City fire hydrants to raise awareness for pediatric cancer. The City Manager has checked with the Water and Sewer Systems Division who install and maintain the hydrants and they do not have any concerns, nor does the Fire Department which is the Department that typically paints the hydrants.

The City Manager stated that there are copies of the City of Albemarle applications supporting childhood cancer awareness at the front desk or anyone can come by administration at City Hall for one.

Upon a motion by Councilmember Lowder, seconded by Councilmember Aldridge, and unanimously carried, the City Council approved the painting of City Fire hydrants for pediatric cancer patients by application to the City Manager.

2. Proclamation to Designate September as Childhood Cancer Awareness Month

Councilmember Hall along with child cancer survivor Stella Senter and her mother Mary Senter came forward and Councilmember Hall read the proclamation. Councilmember Hall mentioned Maddie McRae who is a cancer patient and attends West Stanly Middle School and that she attended last week's County Commission meeting with her.

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

(Proclamation)

PUBLIC HEARING

Ordinance 19-34 - Consider Renaming Franklin Street to Troy Alexander Drive

The City Manager noted that this change is for the entire length of the street, which runs from North Depot Street to North Second Street. All potential affected property owners were notified of the proposal and the hearing. No one spoke for or against this hearing. The Mayor stated that Mr. George Crooker, CEO of the Stanly County YMCA, called and left a message that he is in favor of this street name change.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, and unanimously carried, the public hearing was closed.

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

(Ordinance 19-34 – To rename Franklin Street to Troy Alexander Drive)

PUBLIC HEARING

Ordinance 19-35 - To Amend the City Charter to Establish Non-Partisan Elections for the Office of Mayor and City Council

Comments

Mr. Peter Ascitutto, 1106 Melchor Road came forward to speak in favor of the Non-Partisan elections for Mayor and City Council elections.

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, and unanimously carried, the public hearing was closed.

Councilmember Hall moved to approve Ordinance 19-35 to amend the City Charter to establish non-partisan elections for Mayor and Council. Councilmember Aldridge 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 Ordinance must be formally approved at a meeting separate from the date of the public hearing and will be considered for adoption at the October 7, 2019 meeting.

PUBLIC HEARING

Consider Amendment to the City's Regulations for the Installation of Sidewalks and Landscaping

It was noted that City Council set this hearing to consider changes. Council had discussed the possibility of amending current policy to only require sidewalk installation for existing facilities when the current footprint is changed. Council has also discussed the landscaping requirement and when it is triggered and there was discussion about leaving this requirement as is.

The City Manager noted that no action or Ordinance has been drafted or final direction given by Council. Any changes desired (if any), can be specified by Council and staff and the City Attorney can proceed with drafting these changes.

Comments

Mr. Jim Nance, 503 Muirfield Drive, came before Council and stated that he has been a resident in Albemarle for 65 years. He stated that he is in favor of changing the existing Ordinance to only require sidewalk installation if a building footprint is changing, not when a parking lot is reconstructed as currently required.

Planning and Development Services Director Kevin Robinson came forward and stated that presently the ordinance requires sidewalks and landscaping if performing a

reconstruction by taking up the existing pavement and repaving the parking lot from scratch. It was noted that during a rebuild of a parking lot would be a good time to install the landscaping, even if Council desires to not require sidewalk installation.

Councilmember Aldridge and Bramlett stated that they agree with Mr. Nance to only require sidewalks and landscaping if the footprint of the building changes or if they expand the size of the parking lot.

Mr. Robinson answered any questions that Council had.

Mayor Michael asked that Mr. Robinson come back before Council after further research from other cities at the next meeting concerning his recommendations for City regulations for the installation of sidewalks and what issues have to occur for landscaping requirements in the ordinance.

Council gave direction to Mr. Robinson to consider the number of parking spaces and also the size of the parking lot being replaced and if this is an existing or new business. Also, if an existing business, are they changing the footprint of the building and if so require sidewalks and landscaping. If this is a new building, sidewalks and landscaping should be required as they pave the parking lot.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge, and unanimously carried, the public hearing was left open until the October 7 meeting.

PUBLIC HEARING

Potential Changes to Chapter 81 - Animals and Fowl

The City Attorney /Mayor report – SOG on Grandfathering 81.01

It was noted that the City's Planning Department advertised a public hearing again on this issue when the public hearing concerning the sidewalk issue was advertised. Also, the City Council can cancel the hearing if no changes are going to be made. If changes to Chapter 81 are desired, the public hearing will be held open until a future meeting when a proposed Ordinance can be drafted. This will allow for the current process to remain open and we can return with draft language for Council consideration without having to delay and incur the cost of additional advertising

The Mayor stated that although we have not heard from the UNC School of Government, we have spoken with the NC League of Municipalities. Since Ms. Harbeson with Creative Counseling was keeping horses legally at his location prior to the ordinance changes, they will be allowed to continue as long as they continue at the same level as before and are not violating nuisance code. The nuisance code limits the distance of the horse pasture to the

dwelling by requiring at least 200 feet from nearest habitation. Also, control the smell produced by the horses.

Comments

Dr. Harbeson with Creative Counselling came forward and stated that she had not been notified of the fence distance requirement or daily cleaning. Upon questioning, she stated that the fence was not there when she moved there, she had the fence put up. The Mayor stated that she will be given time to come into compliance with the fence being moved and asked Council to determine the length of time given.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Townsend, and unanimously carried, the City Council approved allowing Creative Counseling 60 days to change the fencing location with the Planning and Development Services Director Kevin Robinson determining the distance.

ANNOUNCED DELEGATONS

Lee Snuggs, RRRPO Director and Scott Miller, NC Division 10 Corridor Development Engineer - To Review Projects in the Albemarle Area.

Mr. Snuggs stated that NCDOT has a scoring system to determine what projects/roads get funded. In the City's request for funding of road projects, he asked that they meet at a later date to review requests with a smaller City group and hash out a desired project list.

The Mayor stated that the City will determine needs and give this list to Councilmember Whitley to relay to Mr. Snuggs and Mr. Miller.

Mr. Snuggs and Mr. Miller answered any questions that Council had.

UNANNOUNCED DELEGATIONS

Mr. Peter Ascitutto, 1106 Melchor Road, came forward and gave a report concerning Stanly County Schools for fall 2019. Mr. Ascitutto's report displayed the attendance declines the last 17 of 19 years since 2001-02 school year. Also, showing the four high schools attendance peaking in 2003 with 3,027 students and in 2019 the number decreased to 2,145 with a loss of 882 students. He reviewed the current 2019 high school capacity and compared 2018 stating that there is 199 students at the Stanly Early College, 60 students at Stanly Academy, and 42 students at the Stanly STEM Early College at Albemarle High School. Then a review of the current middle

school capacity this month and reviewed September of 2018 attendance. Lastly, he reviewed current elementary school capacities for 2018 and 2019.

Mr. Ascitutto answered any questions that Council had.

ADMINISTRATIVE REPORT

Monthly Departmental Reports

The Mayor and City Council received a copy of the August Monthly Departmental Reports and asked if anyone had any questions.

Councilmember Hall mentioned Joy Almond's report concerning the October events of the Autumn Extravaganza for Saturday at Market Station should be 12-6 pm not 12-4 pm.

CONSENT AGENDA

Consider Road Closures for Albemarle Downtown Christmas Open House

The annual Downtown Albemarle Christmas Open House will take place on Friday, November 22, 2019 from 5:30 - 8:30 pm.

The following road closures are being requested for this event:

- * Main St from Depot St to 3rd St.
- * 1st ST from South St. to North St.
- * 2nd St. from South St. to North St.

Consider Road Closures for Albemarle Christmas Parade

The annual Albemarle Christmas Parade will be held on Saturday, December 14th at 10:30 am. The following roads are being requested for closure during the hours of 10:30 am - 12:00 pm include these boundaries and all roads in between:

- * 1st St from Salisbury Ave to South St.
- * 2nd St from Salisbury Ave to South St.
- * Main St. from 1st St to 2nd St.

Consider Dates for Planning Board Dinner Meetings

Asking for approval of Wednesday, October 16, 2019 and Wednesday, April 15, 2020 beginning at 6:30 pm at Rosebriar Restaurant

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

New Business

3. Consider Walk of Fame Recommendation

On August 6, Main Street Manager Joy Almond presented the Walk of Fame recommendation to City Council. City Council requested the following revisions and information:

- 1- Expand the language for the type of recognition required for nominees
- 2- Make the application and induction process biennial
- 3- Draft a nomination application
- 4- Get pricing for medallions to determine the feasibility of sponsorship

Joy Almond came forward and presented the aforementioned revisions and information to City Council. She also stated that the cost of the 12” square or round bronze medallions would be \$500/each.

City Council gave their requests and concerns to Ms. Almond. Councilmember Townsend asked that one member of the committee be selected from each District 1, 2, 3, and 4 and an at large member also be chosen to represent the City on the committee. It was determined to have the committee choose one applicant per year for the Walk of Fame.

Upon a motion by Councilmember Townsend, seconded by Councilmember Bramlett, and unanimously carried, the City Council approved Council choosing one member from District 1, 2, 3, and 4 and one at large member and to have the committee choose one applicant per year for the Walk of Fame.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hall, and unanimously carried, the City Council approved three year staggered terms for the Walk of Fame Committee and the committee will choose the staggered terms.

4. Update on Hurricane Florence Federal Disaster Reimbursement and Recovery

Assistant Finance Director Jake Weavil reviewed the status of the reimbursement element of this project an overview of the funds recovery. The City has 5 separate FEMA identified projects that encompass all of our potential reimbursements. This week we received full reimbursement for 4 of those projects. The reimbursements are as follows:

\$62,219.36 for Debris Removal
\$69,698.50 for Emergency Protective Measures
\$98,858.63 for Electric Utility Repair
\$31,880.62 for W/S Plants Repair
Total Received = \$269,657.11

Mr. Weavil stated that the ceiling amount to be funded is at \$651,000 for the City Parks and Recreation project.

It was noted that this closes out these 4 projects and leaves only the reimbursement for the Parks recovery project that is outstanding. FEMA categorizes projects based on the amount of reimbursement and provides an expedited process for the smaller projects, which is the category all of the projects above we have received funding for fall into. The potential reimbursement amount for Parks and Recreation recovery is greater than all others combined and therefore falls into a process that receives a greater level of oversight from FEMA. Park Recreation Director Lisa Kiser was present to answer any questions Council may have regarding the physical recovery to our parks

Mr. Weavil and Ms. Kiser answered any questions that Council had.

5. Introduction of new Assistant Public Works Director

Renee Keziah is the new Assistant Public Works Director for the City of Albemarle. Renee started with the City on Monday, September 9th and will assist in the day to day administrative operations of the Public Works Department. Renee brings to the City a 20+ year career in business analytics from companies such as Dollar General, Delhaize American, and Food Lion. She is a graduate of Wingate University in Business Management

Ms. Keziah stated that she is excited to be here and appreciates the opportunity to work for the City of Albemarle. She thanked Council for this opportunity.

6. Consider Hold Harmless Agreement with Pinnacle Bank

It was noted that the hold harmless is with Pinnacle Bank. The purpose is to formalize the existing situation where the City's contractors are using the lot on South Second Street between the Beaver Law Office and the Post Office for staging of construction materials for the Police building project. The agreement also provides the City shall maintain the mowing of the lot during this time period

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the City Council approved the hold harmless agreement with Pinnacle Bank.

7. Information- Community Night Out Invitation

Police Chief David Dulin, with the Albemarle Police Department, invited everyone to the Community Night Out scheduled for Saturday, October 5th, 2019 from 4 p.m. to 7 p.m. at the YMCA Pavilion.

COMMENTS

The Mayor stated that Council needs to choose one of the date options available to have a web conference with Spartanburg, SC. The Mayor stated that Spartanburg will have 5 people joining in on the conference call.

It was Council's consensus to have this on Monday, September 30 at City Hall beginning at 1:30 pm.

Councilmember Hughes stated that the downtown banners that are used are faded.

Councilmember Hughes stated that she would like to see Pfeiffer banners near the new Pfeiffer building coordinated between Pfeiffer and the City.

Councilmember Aldridge stated that quite a few of the lights in the trees downtown are not burning.

Councilmember Aldridge asked about the trimming of the bushes at the existing Police building.

Councilmember Hall stated that National Car Safety Week is coming up this month on September 21.

Councilmember Hall stated that the Special Events Committee will be meeting on Thursday, September 19. We will be discussing fall and Christmas events.

Councilmember Hall asked how the City is advertising for naming the Central School Auditorium. The Mayor asked that Council bring any names forward they are interested in. The City Manager stated that we are advertising this in the utility bill stuffer. Assistant City Manager Nyki Hardy stated that it will be on the City website and the City's Facebook page and we hope to see this as an option as a holiday gift.

Councilmember Hall stated that the Uwharrie Players are looking at using the Central School Auditorium.

Councilmember Hall stated that the City is in line to get a permanent set of documents concerning the 1776 Declaration of Independence.

Councilmember Hall stated that Council talked about the Albemarle homeless/drug addiction situation several meetings ago. A task force has been reestablished and will meet on Friday, September 20 at 10 am at City Hall. Shanta Watkins with Homes of Hope will be hosting the event.

Councilmember Hall stated that a business to Albemarle is closing named Chili Mama D's at the Good-O Putt-O on East Main Street.

Councilmember Hall stated that at the Pin Ups and Pumps Car Show on Saturday, September 21 there were around 400-600 people downtown for that event.

Councilmember Whitley stated that he has been a part of the Veterans Group, Team Rubicon, that was located on the ground in the Bahamas after Hurricane Dorian.

He asked that everyone consider giving a donation to their favorite charity.

Councilmember Bramlett stated that he in the last few months had an occasion to be in a situation with the Fire and EMS. He stated how impressed he is with our City Police and Fire personnel and he thanked all of them.

Councilmember Bramlett asked that Council would now consider naming US 52 North in the City limits area as the Pfeiffer Parkway.

Councilmember Lowder commended the Life Scan health program that the City is participating in for the employees. She stated that she was very impressed in getting her blood work done and very impressed with the LabCorp personnel.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to N.C.G.S. 143-318.11(a) (6) – Personnel.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hughes, and unanimously carried, the Mayor and City Council reconvened to open session. Mayor Michael stated that a closed session was held Pursuant to N.C.G.S. 143-318.11(a) (6) – Personnel and there is nothing to disclose at this time.

The Mayor stated that there had been issues with the elevator at the new Police Building site and it may have to be replaced. This would call for a change order to replace and would be expensive.

The Mayor also mentioned that they are hoping to reuse the exterior lights on the building that illuminates the ground but one has been damaged in construction and will need to be replaced.

The Mayor stated that we hope the renovations will be complete by late April to early May 2020 and hope to move in by late May to early June 2020.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the City Council adjourned until Monday, September 30 1:30 pm for a web conference call with Spartanburg, SC at City Hall in the Raymond I. Allen Room.