

REGULAR MEETING CITY COUNCIL
November 18, 2019

The City Council of the City of Albemarle met in a regular session on Monday, November 18, 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.

Presentation of a City of Albemarle Proclamation to Albemarle High School Principal Emily Shaw.

Mayor Michael stated that last Friday, November 15, the City Council toured Albemarle High School to see the program offerings for this year and they are well pleased with what they saw. Mayor Michael had Principal Emily Shaw of Albemarle High School come forward and he recognized her with a proclamation.

Ms. Shaw thanked City Council for their continued support and for their visit to the school last Friday.

Upon a motion by Councilmember Hall, seconded by Councilmember Lowder, unanimously carried, the minutes of the November 4 regular session and November 4 closed session minutes were approved as amended.

Mayor asked that 90 days be removed from the motion concerning allowing Creative Counseling until January 31, 2020 to change the fencing location as follows:

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved allowing Creative Counseling until January 31, 2020 to change the fencing location with the Planning and Development Services Director Kevin Robinson determining the distance.

PUBLIC HEARING

Consider Text Amendment TA-19-05 Landscaping and Paving

Introduction

Planning and Development Services Director Kevin Robinson stated this is to hear and consider amendment TA-19-05 including multiple changes to landscaping requirements of section 92.091 of the zoning ordinance. He stated that the Planning Board heard and recommended approval of the amendments by a vote of 6-1 on November 7th.

Mr. Robinson stated that the Planning Board heard and recommended approval of the amendments by a vote of 6-1 on November 7th.

Mr. Robinson answered any questions that Council had.

Councilmember Hall moved to close the public hearing. Councilmember Townsend seconded the motion. Voting in favor of the motion were Councilmembers, Aldridge, Bramlett, Hall, Lowder, Townsend, and Whitley. Voting against the motion was Councilmember Hughes. The motion carried with a 6-1 vote and the City Council closed the public hearing.

Upon a motion by Councilmember Hall second by Councilmember Aldridge seconded the motion, and unanimously carried, the following ordinance was adopted:

(Ordinance 19-41 - Landscaping and Paving, Chapter 92.091)

PUBLIC HEARING

Consider Amendment TA-19-06 Sidewalks and Pedestrian Amenities

Planning and Development Services Director Kevin Robinson stated that this is to consider amendments to TA-19-06 which includes reducing the fee in lieu payment amount from 100% to 75% for required sidewalk installation. Mr. Robinson

reviewed the markup copy with Council showing the in lieu fee change from 100% to 75% for their consideration. Mr. Robinson answered any questions that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Lowder, and unanimously carried, the 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 ordinance

(Ordinance 19-42. Sidewalks and Pedestrian, Chapter 92.092)

Agenda Adjustments

1. Possible naming of Tuckertown Water Treatment Plant
2. Request for Proposal for the new Police Building

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

Unannounced Delegations

Michael Lambert, 105 Royal Avenue, came before Council to state that Creative Counseling at 2620 West Main Street is not collecting the horse manure daily as is required by City Ordinance. He handed out photos to Council and he had taken over the last few months. Mr. Lambert stated that he would like to enjoy his home and property without this concern. He asked that Council look into this and make sure the collection of manure be done in a timely manner.

Planning and Development Services Director Kevin Robinson stated that he had visited this property two weeks ago and marked off 200 feet for them to place the fence to comply with the Ordinance. He said he at that time did not see an issue with the horse manure.

Jerry Myers, 208 Royal Avenue, came forward and stated basically the same as Mr. Lambert concerning conditions not being met with the horse manure pickup by Creative Counseling. He asked about the stable on this property being allowed in the

General Highway Business District (GHBD) per City ordinance. Also, that in his opinion, there is not adequate pasture space to meet Creative Counseling needs.

Council discussed this issue further and asked questions to staff concerning these issues.

The City Manager stated that he will speak with the Police Chief Dulin and his staff and have them do routine inspections and establish a pattern of manure pickup by Creative Counseling and report back.

Monthly Departmental Reports

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

CONSENT AGENDA

Consider Road Closure for Stanly YMCA Hot Chocolate 8K

The Stanly YMCA will host their annual Hot Chocolate 8k on Saturday, January 4, 2020. The race will begin at 7:00 am and end at 10:00 am. Request to waiver the street closing fee.

Road closure requested: CB Crook Dr. from 1st St to 2nd St.

Approval of Final Settlement Agreement with Holden Building Company

On November 4, City Council approved the mediated settlement agreement between the City of Albemarle and Holden Building Company, for construction of the Landfill Employee Building. Per the discussion on November 4, attached is the final settlement agreement that simply firms up the language in the mediated settlement agreement. This agreement was prepared by attorneys for both parties and vetted with the City Manager.

(Resolution 19-27. Final settlement agreement with Holden Building Company.)

Consider Approval of Renewal for Indefinite Quantity Contract With Stogner Architecture, PA

A request to renew the Indefinite Quantity Contract with Stogner Architecture, PA, for an additional 12 months through November 2020. Mr. Stogner's firm is one of very few firms that specializes in HUD related work and compliance. The proposal would extend the existing arrangement between the City and Stogner Architecture, PA. Stogner Architecture is currently providing services for the exterior/interior door project for Amhurst Gardens and Elizabeth Heights apartments. Council received a copy of Stogner Architecture's most recent billing rates as well as the renewal request to be signed by the Mayor if approved.

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

New Business

1. Benefits Update - Changes in Optional Benefit Offerings

Open enrollment for optional employee benefits will be held November 18-21. Human Resource Director Dana Chaney discussed the changes employees will see.

Ms. Chaney noted that it is recommended that the City change its dental carrier to avoid a 7% rate increase with MetLife. The City has previously used Guardian for dental services and will return to that carrier. She said that staff also recommends moving to a different provider to manage flexible spending accounts for medical reimbursement and dependent care. Our existing provider, BK Russell, is retiring. The employees will be issued a debit card for flexible spending.

2. Consider Memorandum of Understanding for Parking Lot Improvements at Waddell Center

Stanly Community College and Albemarle Parks & Recreation are partnering to complete parking lot improvements at E.E. Waddell Center. Council considered approval of memorandum of understanding between SCC and COA. North Carolina League of Municipalities has reviewed the MOU. The City Manager noted that Council should pay attention to the statement where the City shall provide security for the equipment while it is being used for the City projects. Staff has verified that the intent of the community college is that the City be responsible for any damage while it is on our property.

Council discussed the City providing the security of equipment while it is being used for City projects in case of damage and had some issues with this in the agreement.

Mayor Michael asked that staff verify with Stanly Community College concerning the security of the equipment in case of damage when being used by the City.

Councilmember Hall asked that either the Mayor or City Manager verify with SCCC and Dr. Enamait concerning the security issue.

Mayor Michael stated that he or Mr. Ferris will reach out to the college on this concern.

3. Consider HS-01 to declare a historic sign at 155 W South St.

Consider a City application to declare the old Home Savings and Loan sign a historic sign.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried the City Council approved the City of Albemarle application to declare the old Home Savings and Loan sign at 155 W. South Street a historic sign

4. Consider HS-02 to declare a historic sign at 203 N Second St.

Consider a City application to declare the old Home Savings and Loan sign a historic sign.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried the City Council approved the City of Albemarle application to declare the old Home Savings and Loan sign a historic sign for 203 N. Second Street a historic sign.

5. Information on evaluation of Downtown Albemarle Autumn Extravaganza

Lisa Kiser, Parks & Recreation Director, presented the evaluation of the Downtown Albemarle Autumn Extravaganza. Councilmember Hall stated that the Special Events Committee met recently to talk about the October events.

Ms. Kiser reviewed with Council the members of the Special Events Committee and reviewed achievements as follows:

5,000 people in downtown Albemarle

\$6,700 in sponsorships (in-kind & monetary)

32,000 reached in Facebook, 17,000 ES & MS children with flyers in hand, and 6,000 SNAP inserts

Strengths of the Event

Team approach from COA departments

Community Engagement through volunteers

Thursday's Fall Festival

Friday Fright Night

Farmer's Market & Craft Fair

Street Festival

Ms. Kiser reviewed with Council areas and opportunities for growth and answered any questions that Council had.

6. Monroe Corporate Center Visit

Mayor Michael requested this item be placed on the agenda and asked that the City contact Monroe about reviewing their corporate center. The City Manager suggested we make such a visit in the past, as the City is preparing for the development of

the City's center and believe it would be beneficial to look at what Monroe has done and have the opportunity to ask questions regarding their experience. Economic Development Director Mark Donham has reached out to Monroe and they are available for our visit on Wednesday, December 11. We plan to have transportation arranged and leave the City Hall at 12:30 with the intention of returning to Albemarle around 5:00.

Councilmember Hall asked if Council could delay this until after the holidays to visit Monroe. Several Councilmembers also stated they would like to wait.

Mayor Michael stated that Mr. Donham will reach back out to the City of Monroe for a possible January 2020 meeting.

7. Reminder - Arbor Day Tree Planting Ceremony

This will be held on Thursday, November 21 at noon at the 300 block of South First Street location.

Comments

Agenda Adjustment #1- Renaming Tuckertown WTP

Mayor Michael stated that one consideration is naming the Tuckertown Water Treatment Plant in memory of Jack Neel or the new delivery point at Central Avenue or any other ideas that Council may have. Mr. Neel was City Manager for 19 years and on City Council for 24 years.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried the City Council approved naming Tuckertown WTP in memory of Jack Neel for his service.

Mayor Michael stated that we will look at signage and then determine a date.

Agenda Adjustment #2 – IS Director Owen Squires presented the results of the two IT RFP's advertised on October 21, 2019. He stated that he is asking for

approval of Council to move forward with building the statement of work and for them to start work on these projects. He stated that for the Police Department's HQ projects, they split the technology requirements into two RFP's. They are 1) Low Voltage Wiring and 2) Security Systems. Separate from the wiring, staff is leveraging state contract agreements on network electronics. The City staff team met several hours last Friday to review proposals and we were unanimous in their recommended service providers.

The three recommended companies were:

1. Unified Technologies – Wiring \$75,914.39 with a 5% contingency
2. Secure Canopy – Security \$48,575.44 with a 5% contingency
3. Carolina Advanced Digital – Storage \$35,808.14 with a 5% contingency

Mr. Squires stated that he will write a final statement of work after approval from Council.

The Mayor asked that Mr. Squires print a copy of the proposal dollar amounts and bring back before Council for review at the end of the meeting before approval is made by Council.

Councilmember Bramlett stated that his son Lewis and his grandson Andrew published a paperback booklet called Ordinances and the Revenue Act for the Town of Albemarle, NC 1919. He passed out a copy to the Mayor and Council.

Councilmember Hall asked about the Downtown Christmas event and the Albemarle Christmas Parade.

It was verified that the Downtown Christmas event this Friday, November 22 starts at 5:30 pm. Also, the parade is Saturday, December 14 at 10:30 and the Tour of Homes is Sunday, December 8.

Councilmember Hughes asked if the NCDOT paving on East Main Street is complete. Mayor Michael stated that they still have the manholes to complete.

Councilmember Hughes asked for an update on the Albemarle Hotel project. Economic Development Director Mark Donham stated that he has spoken with

the developers about two weeks ago. He stated that they have completed their project in Fayetteville. They should be starting here the 1st quarter of 2020 and hopefully it will be move in ready by the 1st quarter of 2021.

Councilmember Hughes also asked about the City's article in the Charlotte Business Journal and will it be placed on the City website. Mr. Donham stated that in his email he stated that the article would be placed on the Charlotte Business Journal website. He also stated he will place this on the City website as well.

Councilmember Aldridge asked when the sign will be ready and placed at the street for Troy Alexander Drive. Public Works Director Ross Holshouser stated that they are still coordinating and the sign should go up in the next couple of weeks.

Councilmember Aldridge thanked Councilmember Bramlett for the booklet his son and grandson published.

Mayor Michael gave an update on the Reserve at Woodhaven and Uwharrie Trail apartments.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to N.C.G.S. 143-318.11(a) (3) & (6) – Legal, Real Estate, and Personnel.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and unanimously carried, the Mayor and City Council reconvened to open session. Mayor Michael stated that a Closed Session Pursuant to N.C.G.S. 143-318.11(a) (3) &(6) – Legal, Real Estate, and Personnel and there is nothing to report at this time.

Mayor Michael asked Council to review the Albemarle Police Department HQ IT RFP responses that Owen Squires had presented earlier in the comment section of the meeting.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, and unanimously carried, the Mayor and City Council approved the following RFP's for the new Albemarle Police Building:

4. Unified Technologies – Wiring - \$75,914.39 with a 5% contingency
5. Secure Canopy – Security - \$48,575.44 with a 5% contingency
6. Carolina Advanced Digital – Storage - \$35,808.14 with a 5% contingency

Mayor Michael stated that the grant we did not receive was the BUILD Grant. He stated that the City is eligible for an EDA grant as a result of being declared a federal disaster area from Hurricane Florence. The City is eligible and would like to apply for infrastructure improvements in the Five-Points area.

It was the consensus of Council to apply for the EDA grant.

Mayor Michael stated that the City currently has a contract with Keller Partners for federal grant writing and lobbying services. He said this is the one we may stop. Leslie Monzingo has a Washington, DC office and provides similar assistance and helps make connections to assist with federal grant applications, though she does not write grants. She has a pay as you go option for services that is a possibility which would cost around \$4,000/month.

Concerning the public hearing for Ordinance 19-41, Landscaping and Paving, Chapter 92.091, Councilmember Hughes voted against closing the public hearing but voted for the ordinance. She stated that she meant to vote yes to close the public hearing and vote against Ordinance 19-41.

Motions revised as stated below:

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

Councilmember Hall moved to approve Ordinance 19-41. Councilmember Aldridge seconded the motion. Voting in favor of the motion were Councilmembers,

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

(Ordinance 19-41. Landscaping and Paving, Chapter 92.091)

Upon a motion by Councilmember Hughes, seconded by Councilmember Whitley, and unanimously carried, the meeting was adjourned until Tuesday, November 19 at 4pm in the Raymond I. Allen Room for a Strategic Planning Session.