

REGULAR MEETING CITY COUNCIL
December 16, 2019

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

SPECIAL PRESENTATION

**City of Albemarle Retirement Certificate to E. Paulette Bowers
- 13 years, 10 months of service**

The December 16 meeting is the last regular meeting for City Clerk Paulette Bowers. Her last working day with the City will be Friday, December 27.

Ms. Bowers thanked Mayor Michael and the current City Council as well as the eight previous Councilmembers that she had worked with and stated that 4 of those 8 had passed away. Also, she thanked previous Mayor “Whit” Whitley, previous City Manager Raymond Allen, and current City Manager Michael J. Ferris whom she has worked with her entire career with the City since 2006.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, unanimously carried, the minutes of the November 26 adjourned session, November 26 closed session, December 2 regular session and December 2 closed session minutes were approved as submitted.

PUBLIC HEARING

Consider Revised Agreement and Ordinance 19-44 to Fund City of Albemarle and One NC Incentive Grants for Enforge

Introduction

This hearing is to receive public input on a modification of Enforge's Incentive Agreement with Albemarle so the payment of incentives can be coordinated between The City Economic Development Grant and the One North Carolina Grant. The City Council approved awarding the Grant to Enforge with Resolution 18-15 on September 4, 2018. The One NC Grant is awarded over three years and the City Economic Development Grant is awarded over an eight year period. No one spoke for or against the issue at the hearing.

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

Upon a motion by Councilmember Hughes, seconded by Councilmember Lowder, and unanimously carried, the City Council approved the revised agreement to fund the City of Albemarle and One NC Incentive Grant for Enforge.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, and unanimously carried, the following Ordinance was adopted:

(Ordinance 19-44 – To fund City of Albemarle and One NC Incentive Grants for Enforge)

Agenda Adjustments

1. Add (4) Economic Development to the Closed Session
2. Move New Business Item 11, Drainage Right of Way Agreement with American Fiber and Finishing to Announced Delegations

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

ANNOUNCED DELEGATION

Drainage Right of Way Agreement with American Fiber and Finishing

The City Manager noted that the City Attorney has drafted an agreement to allow American Fiber and Finishing (AF&F) to re-establish a ditch parallel to the abandoned NS Railroad to direct rainwater where it had flowed for decades. Without the railroad having a rail line in this location, they are no longer maintaining this area adjoining the AF&F facility. The agreement would allow AF&F to connect to the ditch on the east side of the City Greenway near our adjoining property lines. This will help prevent flooding at AF&F by directing storm water to where it has been directed and flowed for decades when the railroad owned and maintained the entire area.

Plant Manager Shane Phillips with American Fiber and Finishing was present at the meeting.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Lowder, and unanimously carried, City Council approved an agreement to allow American Fiber & Finishing to re-establish a ditch parallel to the abandoned NS Railroad for rainwater connecting to the ditch on the east side of the City Greenway near the City's adjoining property lines.

UNANNOUNCED DELEGATIONS

Mr. John Haymond and Dr. Laura Harbeson came forward concerning her horses at 2620 West Main Street. They stated that several neighbors that live on Royal Avenue came before Council on November 18. They would like to clear up some of the false allegations that were made by them on November 18.

Dr. Harbeson stated that Planning and Development Services Director Kevin Robinson came out and measured for the fence around 4 weeks ago. They have been collecting donated materials for this fence project and will have the work completed by the January 31 deadline. Also, Dr. Harbeson stated that concerning the manure allegation, they have picked up manure at least 55 times since September which is around every other day when the allegation was originally made by the opposition.

Dr. Harbeson handed out to Council a document with photos showing the old ordinance vs the new ordinance concerning horses. She stated that she is trying to do all she can to stay in this location and provide her services as well as keep peace with the neighbors.

Mr. Haymond, 617 Azalea Drive, stated that they are very frustrated with the allegations made by Mike Lambert on November 18 and before and they just want to know how the process works. He asked who is validating these allegations. Who determines the validity of each claim made?

Mayor Michael stated that this is a public forum and both sides have a right to be heard by Council and then staff investigates the issues and situation. Hopefully, this will be resolved once the fence is up.

Mayor Michael stated that City Attorney David Beaver had previously offered to draw up an agreement with Dr. Harbeson and her neighbors. He also thanked Dr. Harbeson for being proactive and he hopes this will resolve this issue soon.

Mayor Michael asked that Mr. Haymond and Dr. Harbeson reach out to Mr. Lambert and the neighbors again and see if they will meet with you and come to some middle ground of understanding.

Councilmember Townsend asked that in the future if this could be scheduled in the future as part of the agenda and not an unannounced delegation situation as both sides have done November 18 and tonight.

Councilmember Lowder asked if they are willing to work with the other side without Council and just talk.

Councilmember Hall came into the meeting at this time.

ANNOUNCED DELEGATION

PRESENTATION OF FY 2018-19 AUDIT

Cassie Wilson from Martin Starnes & Associates presented the audit for fiscal year ended June 30, 2019. This is their first year providing audit services to the City.

Ms. Wilson gave a PowerPoint Presentation to Council reviewing highlights of the audit including the Fund Balance for 2018-2019, % of revenue in the General

Fund, % of Expenditures in the General Fund. She also reviewed the City's Enterprise Funds.

Ms. Wilson answered any questions that Council had.

Mayor Michael thanked Ms. Wilson for coming tonight.

Monthly Departmental Reports

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

CONSENT AGENDA

Ordinance 19-43 - To Eliminate an On-Street Handicapped Parking Designation

It was noted that these spaces were designated when there was a restaurant at this location and the parking was in the parallel configuration. Mr. Clegg Mabry has requested it be removed and with the change to angle parking, there is no actual parking or space in this location any longer.

Approve 10-Year Tax Write-Off

Per state statute, taxes need to be written off after 10 years. Staff is requesting Council's approval to write off taxes from 2007 and 2008.

City of Albemarle

2007 Levy Total: \$ 5,564,804.78

2007 Levy Collected: \$ 5,543,321.98 – 99.61% Collection Rate

2007 Levy Uncollected: **\$ 21,482.80 -- Amount to be Written Off**

Municipal Service District

2007 Levy Total: \$ 40,158.54

2007 Levy Collected: \$ 40,055.79 – 99.74% Collection Rate

2007 Levy Uncollected: **\$ 102.75 -- Amount to be Written Off**

City of Albemarle

2008 Levy Total: \$ 5,675,802.09
2008 Levy Collected: \$ 5,655,214.93 – 99.64% Collection Rate
2008 Levy Uncollected: **\$ 20,587.16 -- Amount to be Written Off**
Municipal Service District
2008 Levy Total: \$ 43,087.53
2008 Levy Collected: \$ 42,929.77 – 99.63% Collection Rate
2008 Levy Uncollected: **\$ 157.76 -- Amount to be Written Off**

Consider Request of Piedmont Natural Gas for a Gas Main Extension on Woodland Street

PNG is requesting a gas main extension on Woodland Street to an existing line to connect gas service between Broome Street and Harwood Street. Since this is an extension of service, it requires approval by City Council. If approved, an encroachment agreement will be signed to set the terms of the installation and the repair of right of way to City standard. The information package from PNG also included replacement of existing service lines.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved the items on the consent agenda including the following ordinance:

(Ordinance 19-43. To eliminate an on street handicapped parking designation in front of Mabry Law Office on N. Third Street.

Unfinished business

Consider Appointments to City Boards & Commissions

Upon a motion by Councilmember Bramlett, seconded by Councilmember Lowder, and unanimously carried, City Council approved delaying the board and commission appointments until the January 6 regular session meeting.

1. Discuss the Name for New Street

The City Manager noted that when the NCDOT is finished with improvements to Hilco and Barnard Street, Barnard will be renamed to Hilco and re-addressed, effectively eliminating Barnard. There is a small portion of new City street that will be constructed off of Hilco Street leading to Uwharrie Trail Apartments. A similar segment has been completed north of here at The Reserve, which is temporarily named St. A. Eventually it is planned that these two will connect.

Uwharrie Trail needs an address now for contract purposes and it would be best to have the formal street name in mind so they do not have to re-address their property later. Options for this are to re-use the Barnard Street name, which could be somewhat confusing; allow Uwharrie Trail to propose a name; or for Staff and/or Council to propose something.

Upon questioning, PDS Director Kevin Robinson stated that the street name should be the same all the way through which will affect both the Uwharrie Trail apartments and The Reserve apartments.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, and unanimously carried, City Council approved drafting an ordinance naming the new road Barnard Poplin Drive which is the street off of Hilco Street leading to Uwharrie Trail Apartments and all the way through to The Reserve Apartments and bring the ordinance back for Council approval on Monday, January 6, 2020.

2. Monroe Corporate Center Visit

As the City prepares for the development of the Albemarle Business Center, Council has discussed that it would be beneficial to look at what Monroe has done and to learn about their experience. The City Council asked that we look into January for our visit to the Monroe Corporate Center.

Director of Economic Development Mark Donham has reached out to Monroe and they are available for our visit on Wednesday, January 22. We will have transportation arranged and leave the City Hall at 12:30 with the intention of returning to Albemarle around 5:00

The Mayor and all Councilmembers affirmed their attendance.

3. Consider Attendance at the MLK Unity Prayer Breakfast on Saturday, January 18th.

The event is hosted by the Stanly County Chapter of the NAACP and will be held once again at the City's EE Waddell Community Center from 8:00 a.m. until 10:00 p.m.

Councilmember Hall will not be able to attend and Councilmember Whitley will let the City Manager know if he can attend.

Comments

Councilmember Hall stated that the parade event Saturday was great. She thanked Dave Andrews with 1010WSPC and Toby with the SNAP for getting this event out in the media.

Councilmember Hall thanked police officer Tim Peck who is also a cancer survivor and riding with the kids on the Grand Marshal float.

Councilmember Whitley mentioned the Tour of Homes on Sunday, December 8 and that he feels it was very successful and that this was the best one yet.

Councilmember Whitley wished everyone a Merry Christmas.

Councilmember Bramlett also mentioned how great the Tour of Homes was this year. He stated how great Kevin Robinson's home was and the B& B on Pee Dee Avenue.

Councilmember Lowder wished everyone a Merry Christmas.

Upon a motion by Councilmember Hall, seconded by Councilmember Lowder, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to N.C.G.S. 143-318.11(a) (4) (5) (6) – Economic Development, Real Estate and Personnel.

Upon a motion by Councilmember Hughes, seconded by Councilmember Aldridge, 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) (4) (5) (6) – Economic Development, Real Estate and Personnel and there is nothing to report at this time.

The Mayor mentioned the Albemarle Business Park concerning a grant received to build a road and easement of sewer lines for the new park. He also mentioned that Chambers Engineering is supplying an agreement for the Corps of Engineers for approval.

Also, the Mayor said the State grant is in the amount of \$750,000, with the City matching \$250,000. He also said that the City has 22 months left of the 24 month time frame to spend this money. The Mayor said that this money is for the road only.

Mayor Michael stated that Council needs to make a decision soon to move forward with the road or not to move forward. He said that he is just trying to make Council aware of the urgency for a decision soon.

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