

REGULAR MEETING CITY COUNCIL

January 6, 2020

The City Council of the City of Albemarle met in a regular session on Monday, January 6, 2020 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 E. Lowder; and Dexter Townsend. Absent: Chris Whitley.

Mayor Michael called the meeting to order.

The Mayor gave the invocation.

The Mayor requested that the City Manager introduce the new Clerk/Assistant to the City Manager. City Manager Michael J. Ferris introduced Ms. Cindy Stone as new to the position effective January 6, 2020. The Clerk position has been enhanced to provide administrative support to the City Manager and Assistant City Manager with an overlay of the traditional clerk responsibilities.

Ms. Stone thanked the Council members, Mayor Michael, Mr. Ferris, and Ms. Hardy for the opportunity to serve as the Clerk/Assistant to the City Manager. She looks forward to serving the residents of Albemarle.

Upon a motion by Councilmember Hall seconded by Councilmember Aldridge, Council unanimously approved the appointment of Ms. Stone.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, unanimously carried, the minutes of December 16, 2019 regular and closed sessions were approved as submitted.

PUBLIC HEARING

Ordinance 20-01: Consider Text Amendment to add Chapter 95: Non-Residential Building and Vacant Property Maintenance Standards

This hearing is to receive public input on the adoption of Ordinance 20-01: Consider text Amendment to add Chapter 95: Non-Residential Building and Vacant Property Maintenance Standards.

Mayor Michael requested that Planning and Development Services Director Kevin Robinson summarize the Ordinance before the public hearing.

Mr. Robinson summarized the ordinance as follows:

- It has been re-formatted to match the current format of ordinances but there are no text changes since the last viewing of the draft in September, 2019;
- There is a tiered structure of property maintenance standards modeled after the UNC School of Government's standards, which are color-coded:
 - Green: Vacant property but generally in good condition;
 - Yellow: Needing attention (visual deficiencies but not dangerous);
 - Red: Structurally deficient and considered dangerous but still can be repaired;
 - Blue/Black: Over 50% of the structure is unstable and would be identified to be demolished.
- A vacant property registry is described;
- There are a multitude of options for abatement of violations accrued; and
- Responsibilities of property owners and tenants for property maintenance are detailed.

This ordinance would benefit Planning and Development Services staff in that it is comprehensive in scope and provides flexibility for staff.

There was no public input on the item. Upon a motion by Councilmember Hall, seconded by Councilmember Lowder and unanimously carried, Council closed the hearing.

Upon a motion by Councilmember Hall, seconded by Councilmember Bramlett, unanimously carried, the following Ordinance was adopted:

(Ordinance 20-01 - Text Amendment to add Chapter 95: Non-Residential Building and Vacant Property Maintenance Standards)

AGENDA ADJUSTMENTS

1. Addition of Announced Delegation: Amy Phibbs
2. Addition of closed session.

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

ANNOUNCED DELEGATION

Ms. Amy Phibbs, residing at 48050 Clodfelter Road, Albemarle, NC and representing Heritage Classical Academy, came before the City Council to discuss the philosophy, structure, and future plans for the Academy. The Academy will be located within The Gathering located at 175 N 1st Street, Albemarle, NC 28001.

Ms. Phibbs and her husband have researched and planned for opening a Christian-centric school named Heritage Classical Academy. She presented the rationale, philosophy, proposed curriculum and school growth projections in a presentation to City Council.

Ms. Phibbs answered questions from Council members.

Ms. Phibbs requested that Council encourage other leaders and the public to support Heritage Classical Academy as it begins enrollment for the kindergarten class this month, as well as in future enrollment for other grades.

The City Council noted that the need for such a school is evident and supports the Academy's endeavor. They thanked her for the presentation.

UNANNOUNCED DELEGATIONS

Mr. Joey Gathings, residing at 921 2nd Avenue, Albemarle, NC, came before the City Council to discuss unresolved issues with two vacant properties on his street, 311 North 2nd Avenue and 408 North 2nd Avenue. He noted that there is a history of undesirable activities on both properties as well as nuisance issues, such as a trenched sewer line dug to the neighbor's property from the 311 North 2nd Avenue property, and trash buildup at the 408 North 2nd Avenue property.

Mr. Gathings has contacted various City of Albemarle departments (police, fire, planning and development services) as issues with these two properties arose in the past year. City Council requested that the Planning and Development Services Director Kevin Robinson update them about the properties.

Mr. Robinson summarized the current state of affairs for the properties as follows:

1. 311 North 2nd Avenue:
 - Identification of property owner – It is not known who owns the property.
 - Current status – The owner purportedly is renting out the house to other people. The bank will repossess the property soon. After that, the process will begin to slate the property for demolition.
2. 408 North 2nd Avenue:
 - Identification of property owner – This house was owned by a couple, now deceased. Currently a son of the owners has possession of the property and he does not want anyone on the property.
 - Current status – It is not clear if a case file in the department has been opened. The department will follow up on that.

Both Mr. Gathings and Mr. Robinson answered questions posed to them by City Council.

The City Council thanked Mr. Gathings for bringing the issue to their attention.

Mr. Peter Ascitutto, residing at 1106 Melchor Avenue, Albemarle, NC came to present on city/county relationship building ideas. As a former Stanly County Commissioner, Mr. Ascitutto has

background in city/county partnership projects. He noted the Agriculture Center expansion and recent improvement project of the addition of a covering for the cement section of the Center.

Mr. Ascuitto provided some suggested improvements the County can make:

- Fund a set-aside for capital improvements;
- Adopt a code of ethics for public officials;
- Adopt Memoranda of Understanding (MOU) among municipalities and counties, among others.

The City Council thanked Mr. Ascuitto for his suggestions.

MUNICIPAL CALENDAR

The Mayor noted that the City's updated municipal calendar was in their packets and asked if Council members had any questions or edits. Councilmember Hall requested an edit. She noted that the Outdoorsman's Bonanza is listed twice on the current version of the calendar. The event is slated for March 28, 2020 and will occur only once this year so the entry in April should be removed. A revised calendar will be provided to the City Council.

UNFINISHED BUSINESS

Consider Appointments to Boards and Commissions

The Council was provided volunteer forms and attendance records prior to the meeting for the below listed open board/commission seats:

Historic Resource Commission (2-term limit):

Seat 1: Christy Stoner, 2nd term expired; ineligible for reappointment – needs replacement

Seat 3: John Williams, 2nd term expired; ineligible for reappointment – needs replacement

Upon a motion by Councilmember Hall, seconded by Councilmember Bramlett, Council unanimously approved the appointments of Mr. Anthony Pernell and Mr. Benton Dry to the respective open seats on the Historic Resource Commission.

Planning and Zoning Board (2-term limit):

Seat 1: Vacant - needs to be filled

Alternate 1: Michele Cumming, Partial Term expired 7/1/2019. Eligible for reappointment.

Alternate 3: Vacant - needs to be filled

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, Council unanimously approved the appointment of Ms. Michele Cumming to fill Seat 1 on the Planning and Zoning Board.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, Council unanimously approved the shift of Mr. Charles (Chuck) Horne from 2nd alternate to 1st alternate to fill the Alternate 1 seat on the Planning and Zoning Board.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, Council unanimously approved the appointment of Mr. Keith Wolf to fill the Alternate 2 seat on the Planning and Zoning Board.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, Council unanimously approved the appointment of Mr. Joey Gathings to fill the Alternate 3 seat on the Planning and Zoning Board.

Parks and Recreation Advisory Board (no term limits):

At Large: Tanner Denton – up for reappointment

District 4: Peter Ascitutto – up for reappointment

School seat: Jennifer Winkler (East Albemarle Elementary) – up for reappointment

Upon a motion by Councilmember Aldridge, seconded by Councilmember Bramlett, Council unanimously approved the reappointment of Mr. Ascitutto for the District 4 seat on the Parks and Recreation Advisory Board.

There was a question about the term expiration for the at large seat. Mayor Michael called on Parks and Recreation Department Director Lisa Kiser to confirm the term expiration year. Ms. Kiser confirmed the expiration term date was in 2019.

City Council implored the public to fill out volunteer applications for board/commission seats if they are interested in the City's business and can commit to the board/commission meeting schedules.

Council requested that the volunteer form be updated as an online fillable form listing all of the boards and commissions with a signature and date block uploaded to the City website for ease of access and completion.

NEW BUSINESS

Update on Public Housing Door Project

Councilmember Hughes requested an update on the public housing door project. Public Housing Maintenance Supervisor Tony Poplin presented the update to Council.

The RFP is already out for bid. Seven contractors showed interest in submitting bids. The pre-bid conference will be held in the Public Housing Department offices on January 22, 2020, and the deadline for bid submission is February 6, 2020. The Public Housing Department plans to present the certified bid tabulation to City Council on February 17, 2020.

The Public Housing Department has elected to go with new flush insulated steel entry doors, using a heavier gage than is presently there. New hardware will be equal to a Schlage B560R IC

Deadbolt. Passage sets will get new knobs, but levers will be installed at the designated accessible apartments and the elderly housing site. Mr. Poplin estimated that 800 doors will be refurbished across 2 sites.

At the elderly housing site, existing interior doors are in decent condition and will be sanded and painted. Damaged doors will be replaced on a unit price schedule. At the family site the original interior bedroom and bathroom doors are being replaced. The later added closet and storage room doors (which are mostly in good condition) will be sanded and painted.

Mr. Poplin answered questions posed to him by City Council.

The City Council thanked Mr. Poplin for his update.

Discussion of Albemarle Business Center

Mayor Michael requested this item to be placed on the agenda. City Council received the estimate from Chambers Engineering for site development prior to the meeting. There are three options in the estimate.

The Mayor suggested that Council consider development plan options be included in the bidding process so that different choices are available to implement. Councilmember Hall raised the consideration of a mixed use property plan as an option.

Council requested that Economic Development Director Mark Donham come forward to take questions. Mr. Donham summarized the positive attributes of the current site (i.e., proximity to Raleigh/Durham and Charlotte, abundant natural resources, etc.). Councilmember Aldridge asked if the project was being aggressively marketed. Mr. Donham assured the Council that a multimedia campaign is active to advertise the project and site. However, if alternative sites are an option the Council would like to pursue, Mr. Donham would work on that. Council requested that Mr. Donham contact Mr. Mike Manus to provide examples of mixed property use on a comparable site, preferably in the region.

Council discussed the proposed project at length, which included considerations such as: how “mixed use properties” is being defined (i.e., commercial and industrial vs. commercial and residential); whether and where on the site to include commercial and residential properties; road layout/infrastructure development; funding for development; the appropriateness of the current site for development; among others. Council would like to consider other mixed use property alternatives for the Albemarle Business Center.

Upon a motion by Councilmember Townsend, seconded by Councilmember Bramlett, Council unanimously approved tabling further discussion of the Albemarle Business Center to the January 21st meeting.

Ordinance 20-02 – To Name a New City Street as Barney Poplin Drive

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

(Ordinance 20-02 - To Name a New City Street as Barney Poplin Drive)

Consider Attendance at the Stanly County Chamber of Commerce Annual Meeting

The Stanly County Chamber of Commerce Annual Meeting will be held on Wednesday, February 26, 2020 at noon at Atrium Health Stanly. Tickets will be purchased for any member of Council who would like to attend. All Council members are planning to attend.

Information: Employee Service Day

On Friday January 17, 2020 City employees will have the opportunity to impact the Albemarle community by providing volunteer service to several community organizations. Employees will be paid for the time they volunteer during the hours of 9:00 a.m. until 1:00 p.m. This event is being coordinated by Parks and Recreation Director Lisa Kiser.

Reminder: Dr. Martin Luther King, Jr. Unity Prayer Breakfast

The Dr. Martin Luther King, Jr. Unity Prayer Breakfast will be held at 8:00 a.m. on Saturday, January 18, 2020 in the EE Waddell Community Center. Tickets have been acquired for all Council members who indicated they planned to attend and are available for pick up via the City Manager.

Reminder – City offices closed Monday, January 20, 2020 for the Reverend Martin Luther King, Jr. Holiday

The City Manager noted that all city offices will be closed on January 20, 2020 in honor of the Reverend Martin Luther King, Jr. Holiday.

Update: Water and Sewer Agreements

Agreements with the cities of Concord and Kannapolis: The City Manager noted that the cities of Concord and Kannapolis have approached him about re-negotiating their water agreements with the City of Albemarle. Currently both cities have agreements to take up to 5 million gallons of water daily. Trend data shows that both cities are using only 3 million gallons a day, which gives room in the contract for both cities to grow in their usage. Although neither city is close to using the maximum amount of water set in their contracts, the City Manager noted that it is good timing for them to start re-negotiations now in that increases in water usage cannot occur quickly.

The City Manager noted that there is 16 million gallons a day that is committed or in use, which leaves room for the City itself and other water customers such as the County, Concord, and Kannapolis

to grow their usage within their current designate allocations. However, it is not possible to “doubly commit” water usage, which makes this current timeline good to start planning out water usage. There are options that the City of Albemarle can consider moving forward: either taking the unused water amounts and transferring them to the respective cities/county, or expanding water supply/usage amounts.

Agreement with Stanly County: This agreement has expired. Their use is only half of the maximum listed in the agreement. The City Manager plans to use the water rate and cost study to inform agreement negotiations.

Update: 110 Park Ridge Road

Councilmember Hall requested an update on this issue. The City Manager noted that he received an email today from the Planning and Development Services Director Kevin Robinson that the property at 110 Park Ridge Road does not meet state regulatory requirements for demolition. Planning and Development Services Director Robinson also informed him that after discussing with the Fire Department first, the owner of the property will be asked to provide consent to the option of burning the property down.

Update: Walk of Fame

Councilmember Townsend noted that he couldn’t find discussions about the Walk of Fame idea in the minutes, but he believes that it is has been at least a year since City Council approved the project. He noted that the public is not really “in the know” about the project. Since he is aware of the possibility of a former NFL player to request a street to be named after him, it would be good if the City Council convene a committee soon to move the project forward.

Councilmember Townsend requested that all City departments look at their respective webpages to check and update links. There seem to be some that are old. For example, in the list of city properties for sale, the boardroom is listed when that was sold about 2 years ago. Also, on the City tax rate page he noted that the last tax rate listed was 2002.

Councilmember Hughes gave a shout out to Police Officer Lance Fallen for being named the City of Albemarle’s Police Officer of the Year, especially due to his work with the issue of suicide and his studies. She also welcomed Ms. Stone again to the Clerk/Assistant to City Manager position and hoped that Ms. Stone would be with them for many years to come.

Councilmember Aldridge commended all of the work being done in the Planning and Development Services Department, and for Mr. Gathing’s appearance in front of City Council tonight. He also encouraged City property owners to keep up their properties.

Councilmember Hall gave the following comments:

- She gave an “attaboy” to the Parks and Recreation Department for keeping their webpage up-to-date with venues such as the Albemarle Neighborhood Theater and their respective upcoming events.
- She saw via a Facebook post that the Albemarle Neighborhood Theater will be hosting a Motown singing event on February 7, 2020. Since the Theater can seat around 247 people, she hopes that the public will attend this event. She expects that the event will go well if everyone talks about it.
- Re: Special Events Committee - It is known that the Parks and Recreation Department sent out a survey to solicit feedback from residents about fall/winter 2019 events that have occurred. She looks forward to hearing about the survey results and requested an update the City Council. She also requested that the City Council give the Special Events Committee some direction about their mission moving forward.
- Re: new leadership at Homes of Hope, Inc.: Shout out to Shanta Watkins (a former City of Albemarle employee) for becoming the new Executive Director, replacing retiring Executive Director Skeet Ayscue.
- She noted that there is a new business grand opening this Friday January 10, 2020. The Mayor confirmed it is for Uwharrie Hearing Doctors, and that he is not able to attend. He is not sure if Councilmembers Whitley and Bramlett could attend, either. Councilmember Hall said that she would be able to attend.
- Councilmember Hall gave a shout out to the Public Utilities Department. She was aware of a neighborhood power issue about a week ago and Public Utilities employees were quick to respond. She commented that there are many City employees doing good work.

Councilmember Lowder commented that the new Heritage Classical Academy should be recognized.

MOTION FOR CLOSED SESSION

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

MOTION TO RECONVENE OPEN SESSION

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, 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 to consider a contract for Ms. Britt

A. Burch to be hired as the first City Attorney. He and the City Council agreed that the contract was amenable to them and ready for a vote for approval.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, unanimously carried, City Council approved a contract for Britt A. Burch to be hired as the City Attorney effective February 3, 2020.

Consideration of Road Closure during Construction: Lowder Hardware building

The City Manager reminded Council that the Lowder Hardware building project is still active. The City is working with an architect to obtain blueprints. He asked if City Council wanted to consider closing the sidewalk during construction.

Upon a motion by Councilmember Hughes, seconded by Councilmember Bramlett, unanimously carried, the City Council approved the closure of the sidewalk by the Lowder Hardware building during construction.

Councilmember Hall asked about the property at Leonard Avenue and Inger Street where she has received complaints of numerous cars parked on the property. The City Manager noted that the Planning and Development Services Department is aware of the issue and working on it.

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

The next regular City Council meeting will be held at 7:00 PM on Tuesday, January 21, 2020 in City Council Chambers due to the Reverend Martin Luther King, Jr. Holiday on January 20th.