

REGULAR MEETING CITY COUNCIL

March 16, 2020

The City Council of the City of Albemarle met in a regular session on Monday, March 16, 2020 at 7:00 p.m. in the Council Chambers of City Hall. Mayor Pro Tempore Martha Sue Hall presided, and the following Councilmembers were present, to-wit: Bill Aldridge; Chris Bramlett; Martha E. Hughes; Shirley E. Lowder; Dexter Townsend; and Chris Whitley. Absent: Mayor Ronnie Michael.

Mayor Pro Tempore Hall called the meeting to order.

Special Presentations:

Roy Jones, CEO – ElectriCities of NC to present the City of Albemarle with the 2019 Public Power Awards of Excellence

Due to travel restrictions enacted at ElectriCities, Mr. Roy Jones, Chief Executive Officer, was unable to attend tonight's meeting. The special presentation will be re-scheduled.

Upon a motion by Councilmember Townsend, seconded by Councilmember Lowder, unanimously carried, the minutes of the March 2, 2020 regular session were approved as submitted.

PUBLIC HEARINGS

Consider Major Subdivision 20-01 on Sunset and Cherry Streets

Planning and Development Services Director Kevin Robinson presented this subdivision request to Council. MJSR-01 is a 4 lot, major subdivision of the 1.14 acre tax parcel # 18378. The original house on Cherry St. is to remain on a smaller lot. The subdivision also recombines (moves) the lot lines between lots 2, 3, and 4 with a 5th lot. This was done to fix an issue with the location of an old shed on the 5th lot. Upon permitting any development on these parcels, the applicant or builder will be required to construct a 5' sidewalk in the public right of way that spans the road frontage of the lots to be developed. The applicant or builder will also have the option to pay a fee in lieu of having to construct the sidewalk.

This request was unanimously approved by the Planning and Zoning Board at its March 10th meeting.

This type of zoning request allows for an administrative hearing. There was no input on the item. Upon a motion by Councilmember Townsend, seconded by Councilmember Hughes and unanimously carried, Council closed the administrative hearing.

Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, unanimously carried, City Council approved Major Subdivision 20-01 on Sunset and Cherry Streets.

AGENDA ADJUSTMENTS

Mayor Pro Tempore Hall requested the following agenda adjustment:

1. Addition of "Update on City of Albemarle's COVID-19 Response" under New Business after the item "Consideration of Water and Sewer Tap Installation for Homes of Hope Future Duplex."

Upon a motion by Councilmember Aldridge, seconded by Councilmember Lowder, unanimously carried, Council approved the agenda adjustment.

ANNOUNCED DELEGATIONS

Beck Weemhoff, Stanly Courts Senior Center – To Request an Additional Handicapped Parking Space on North Third Street

Becky Weemhoff, Director of the Stanly County Senior Center, is requesting additional on-street handicapped spaces. There are currently four spaces in front of the Senior Center on 3rd Street. Ms. Weemhoff has spoken with Public Works Director Ross Holshouser regarding this request. The Mayor and Council members were provided with photographs of the current parking spaces prior to the meeting.

The current handicap parking spaces can be realigned to potentially achieve at least one additional handicap space and a striped wheel chair access space at the current curb cut immediately outside the front door.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, and unanimously carried, Council authorized the creation of one additional street-side parking space in front of the Senior Center on North Third Street.

The City Manager added that the City Attorney will draw up an Ordinance for Council to approve at the next Council meeting.

ADMINISTRATIVE REPORTS

Melissa Miranda, ElectriCities of NC and Human Resources Director Dana Chaney, City of Albemarle to Discuss Staffing Needs and Challenges

Ms. Melissa Miranda, Vice President of Human Resources for ElectriCities of NC, presented a "State of the State's Energy Workforce" highlighting trends and challenges specific to this work group.

Economic signals suggest the market for skilled workers will remain tight in 2020 as:

- The labor market is near full employment.
- The unemployment rate for many key roles is just 1 or 2 percent.
- Job openings remain at high levels.

HR Director Dana Chaney described how the labor market is impacting the organization. This issue and the impact on the City of Albemarle have been discussed at length with the City Manager.

Proposed short-term compensation adjustments were recommended and will be absorbed by the 2019/2020 Public Utilities budget. Budgeting efforts for the next fiscal year do include planning for a full compensation study and implementation of adjustments for at least 1/3 of the employee base. City of Albemarle Management's recommendation is to provide a 7% increase effective April 1, 2020 for all employees in the City's Electric Division. They are also requesting to complete a compensation study for the City early in the next budget year and prepare to then address compensation challenges for those positions with the greatest recruiting and retention challenges. Compensation for all groups would be addressed over a three-year period.

The City Manager noted that recruitment for entry level positions has not been an issue. The challenge at this point is competitive pay and the impact on retention of longer-serving and more experience line workers. He said the loss of these experienced employees creates issues related to safety, timeliness in repairs and power restoration, and a general knowledge and understanding of the City's system.

Upon a motion by Councilmember Hughes, seconded by Councilmember Townsend, unanimously carried, Council approved a 7% increase effective April 5, 2020 (the beginning date of the pay period rather than April 1st) for all employees in the City's Electric Division.

Upon a motion by Councilmember Hughes, seconded by Councilmember Whitley, unanimously carried, Council authorized City staff to conduct a compensation study for all City of Albemarle positions during the next fiscal year.

Update on Sanitary Sewer Rehabilitation, Phase 2

Mr. Adam Kiker, LKC Engineering, provided City Council with an update on the progress to date of the Sanitary Sewer Rehabilitation, Phase 2 project which includes Contracts 1 and 2. City Council does not need to act on any information provided this evening; this update is for information purposes only.

The Contract 2 work has been delayed somewhat due to recent rains, thus impacting project completion. The new estimated completion timeframe is May 2020.

For the project as a whole the project was split into two contracts to rehabilitate wastewater plant stations A, C, and D. For the A station a large screw was replaced. For the C and D stations, a decision was made to transition to a different pump system and remove the screws to the old system to increase the safety of the workers.

Change Order #3 for Contract 1 of Sanitary Sewer Rehabilitation Phase 2

Mr. Kiker also presented the proposed Change Order #3 for Contract 1 of Sanitary Sewer Rehabilitation Phase 2 project to Council. The change order consists of the replacement of an 8" Gravity Sewer Aerial Crossing and associated appurtenances which enter and connect to the new 24" gravity sewer line behind Lentz's Auto on Hwy 52 North. This is not part of the original contract. It is being proposed because it has been determined to be a need that must be addressed in the near future. Performing the work now will save on mobilization and other costs. Approximate cost estimate is \$75,000. There are funds available in the current project budget to perform this work.

Mayor Pro Tempore Hall thanked Mr. Kiker for his updates.

Update on Homicides

Police Chief David Dulin presented this update to City Council per Councilmember Townsend's request. For the last ten years, the Albemarle Police Department has investigated eleven homicides in the City of Albemarle. Out of the eleven, six of those homicides were solved or arrests were made in those cases. Five of the eleven are still open and awaiting additional evidence to continue forward with charges.

In each homicide, solved or unsolved, members of the Albemarle Police Department have reached out to the North Carolina State Bureau of Investigations for assistance and utilized the resources that were available at the time of the crime. Chief Dulin also described the history of the Stanly County Crime Stoppers program and how it came to be in transition from a private citizen managing the program to Stanly County management.

Per an agreement reached between Stanly County and the City of Albemarle, for each murder publicized through the Crime Stoppers program, the County would contribute \$1,000 in reward money, and the City would add another \$1,000, for a total of \$2,000 per award. The reward would be disbursed to an individual coming forward with information that would lead to the arrest and conviction of a suspect in any of the unsolved murders.

Questions and answers between the Council and Chief Dulin are as follows:

Q: Has there been, or is there follow up with victims' families?

A: The Chief had a sit-down with one victim's mother and has attempted to contact families of the other victims.

Q: How can the City break the barrier of silence?

A: The biggest barrier is the witness's right granted under the Sixth Amendment to be protected from harm when testifying. Witnesses are scared that after testifying they will be harmed.

Q: Is the anonymous tip hotline still working?

A: Yes it is, but fundraising needs to occur in order to replenish reward funds.

Q: Is useable information obtained through the hotline?

A: Yes, however not all information can be used when prosecuting a suspect.

Q: How is information obtained through the hotline?

A: A caller can record information in a voice message. If there is follow-up contact information provided, detectives call back and sometimes may ask a caller to come into the Police Department to be interviewed.

Q: For tip line informants, isn't the follow-up process considered to be a bit aggressive?

A: Yes the PD has heard that the request for interview does leave some informants with the feeling that they are being interrogated, but the PD has to follow up on contact information provided.

Q: For the six murder suspects who have been convicted, does the PD know if they are still in jail or have been released?

A: It's a mix of both statuses.

Mayor Pro Tempore Hall and Council thanked Chief Dulin for his report and answering questions they had.

Departmental Monthly Reports

Mayor Pro Tempore Hall and Council members received monthly departmental reports for February 2020 prior to the meeting. Mayor Pro Tempore Hall asked if any Council members had any questions or comments.

CONSENT AGENDA

Consider Road Closure for 2020 Stanly YMCA Kids Triathlon

Stanly YMCA is holding their annual Kids Triathlon on Saturday, April 18th from 3:30 pm - 5:30 pm and is requesting road closure for 1st St from CB Crook Dr. to Troy Alexander Dr. for the safety of those participating in the race.

Resolution 20-02 for Correcting Ordinance 20-04 and the January 21, 2020 Regular Meeting Minutes

In the January 21, 2020 regular Council meeting there was a public hearing and Council consideration to amend the City of Albemarle zoning map by adopting Ordinance 20-04 to rezone an 8.75 acre parcel off of US Hwy 52 (tax#4171) from GHBD to R-10. For that meeting Planning and Development supplied accurate and correct supporting documents to Council and the public, and Council called for approval of Ordinance 20-04 associated with this rezoning request properly.

Subsequently, on February 24th Planning and Development staff alerted the City Clerk that in the Ordinance 20-04 document (which was already signed), the property description and tax ID number were incorrect and provided a correct, revised Ordinance. The Clerk researched all materials related to the meeting and discovered a typographical error on the January 21, 2020 minutes which Council had approved in the February 3, 2020 meeting.

After conferring with the City Manager, Assistant City Manager, and City Attorney, the Clerk sought guidance from UNC's School of Government on how to procedurally correct the Ordinance and minutes. A resolution requesting that Council approve the corrections to Ordinance 20-04 and the January 21, 2020 minutes has been presented to Council, along with the marked up and corrected versions of both documents.

(Resolution 20-02 – To Correct Ordinance 20-04 and the January 21, 2020 Regular Meeting Minutes)

Ordinance 20-09 To Amend the FY 19/20 Landfill Budget

This project has been discussed for several years. The City had budgeted for the estimate cost of this work in previous years. Due to other projects being undertaken at the Landfill at the time, staff made the decision to delay implementation of this project, and the funds were moved into a project budget. We have now bid the project and the bids were greater than the amount in the budget. We anticipated that this may occur to some degree, so we budgeted an additional \$50,000 in the current operating budget for the Landfill to appropriate toward this project. The bids have come in even above the estimate, requiring \$80,000 in additional funds to fully fund the project.

The Landfill Fund has an extremely strong reserve and can easily cover the additional funding needs. All funds in the Landfill reserve must be utilized for projects and needs within this fund. There is no issue with our ability to make this appropriation to the project.

(Ordinance 20-09 To Amend the FY19/20 Landfill Budget)

Ordinance 20-10 – To Increase the Gravity Line Project Budget in Landfill Fund

This ordinance increases the Landfill's Gravity Line Project Budget by \$130,000. \$50,000 is from current year appropriations, while \$80,000 is needed from Landfill Reserves. The remaining funds needed to cover the cost of the project were appropriated in previous years and within the project budget.

(Ordinance 20-10 – To Increase the Gravity Line Project Budget in the Landfill Fund)

Confirm Date of April 27 for Personnel Policy Workshop

The meeting will be held from 6:00 p.m. to 8:00 p.m. in the City Hall Community Room. Staff will present recommendations concerning the ways our policies can be updated and modernized based on today's needs and situations. We have identified areas where clarification is needed, improvements required, and changes necessary to meet our needs in hiring and retaining a highly skilled and competent workforce.

Upon a motion by Councilmember Townsend, seconded by Councilmember Aldridge, unanimously carried, Council approved the following:

- Road closure for 1st St from CB Crook Dr. to Troy Alexander Dr. for 2020 Stanly YMCA Kids Triathlon with a date change left open for future re-scheduling of the event in light of restrictions placed on gatherings due to the coronavirus pandemic;
- Resolution 20-02 correcting Ordinance 20-04 and the January 21, 2020 regular meeting minutes;
- Ordinance 20-09 amending the FY2019-20 landfill budget;
- Ordinance 20-10 increasing the gravity line project budget in the landfill fund; and
- Confirmation of April 27, 2020 at 6 p.m. for the Council workshop on the personnel policy.

NEW BUSINESS

Award of Informal Bid for the Landfill Gravity Leachate Sewer Line

The City of Albemarle Solid Waste & Recycling Center recently advertised for bid the construction of a gravity leachate sewer line. This project has been discussed for several years. The City had budgeted for the estimated cost of this work in previous years. Due to the landfill employee building project and the forcemain leachate project commencing in the same timeframe, the decision was made to delay the gravity leachate sewer line project until staff had the capacity to effectively implement this project. This project will collect leachate from the Construction and Demolition South fill area and allow it to flow to the leachate lagoon through a gravity sewer system.

Bids were received and opened on Monday, February 24, at 2:30 in the Ray Allen Room; City Hall. Three contractors bid base on the project (Bid sheet attached):

- Dawn Development Company, Inc.- Monroe, NC \$366,507.36
- BRS, Inc.- Richfield, NC \$380,077.50
- State Utility Contractors, Inc.- Monroe, NC \$887,410.00

Staff recommended utilizing the Alternate Bid Item E.1. – Select Backfill in Trenches (from off-site borrow source). In this case, we plan to remove line item D.11. – Select Backfill in Trenches (from on-site borrow source). In utilizing this option, the bids are:

- Dawn Development - \$379,007.36
- BRS, Inc. - \$381,577.50
- State Utility Contractors, Inc.- \$909,910.00

If the City excluded Dawn Development's bid due to non-conformance and utilized the Alternate Bid Item E.1, BRS, Inc. is the lowest bidder. Therefore, it is the recommendation to award the bid to BRS, Inc.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Lowder, unanimously carried, Council authorized the City to award the bid from BRS, Inc. for the construction of a gravity leachate sewer line.

Discussion of Landscaping and Irrigation for Police Department Project

The City Manager updated Council on this item. One of the items the City is handling separately and outside of any existing contract for this project is landscaping. We have an estimate based on a design that would install irrigation and new plantings, as well as utilize existing plantings where possible. The City would remove the existing landscaping and a contractor would install fresh soil, plants, mulch and the irrigation system. Estimates are approximately \$32,000 for the landscaping and \$7,500 for the irrigation system. Final cost will vary based on final plans and what is able to be installed. This property has always been well landscaped and we want to continue with this. The plan would be to install low growing and low maintenance trees and shrubs.

Consider Water and Sewer Tap Installation for Homes of Hope Future Duplex

Mayor Pro Tempore Hall requested this item be placed on the agenda. Homes of Hope is requesting that the City consider installing 3 water taps and 1 sewer tap for the Crown Point property to be developed into affordable duplexes under the Homes of Hope Permanent Supportive Housing Program. There is precedence for the City to have assisted with a Homes of Hope property. Also, the City partners with Homes of Hope frequently.

On the future site of the project there already is one water and sewer tap. However with the concept of building four affordable housing structures on the property, three more water and one more sewer tap would need to be installed. A question was asked of Public Utilities Director Judy Redwine what the City normally charges for a water or sewer tap installation. For a tap installation it would cost the City \$600, so for four taps the cost would be about \$2,400. The City Manager suggested that, as in the past, the City could waive the tap installation fee and place the taps in at the site.

Upon a motion by Councilmember Hughes, seconded by Councilmember Whitley, unanimously carried, Council waived the fees for installation of four taps at the Crown Point property for the future construction of Homes of Hope affordable houses.

Update on City of Albemarle's COVID-19 Response

The City Manager summarized the efforts and activities the City has undertaken in the past week or so regarding its response to the coronavirus (COVID-19) pandemic in compliance with Executive Orders and recommendations from the Governor's Office and other State agencies. They include:

- Continuation of critical municipal services while keeping employees safe;
- Cancellation of Parks and Recreation activities, events, and programs;
- Implementation of social distancing guidelines for all City facilities and events;
- Evaluating personal protective equipment (PPE) needs of employees;
- Keeping employees and the public up-to-date on City decisions and policies via regular communications from City leadership;
- Temporary suspension of utilities disconnections;
- Development of a remote work policy; and
- Weekly conference calls with the State (NC DHHS, Governor's Office and other State agencies).

City leadership is requesting City Council to support the following to keep City residents and employees safe and healthy during this period:

1. Continuation of the policy of suspension of utilities disconnections during the period of emergency;
2. Adoption/approval of Resolution 20-03 to extend special paid leave time of up to two weeks for City employees who become directly affected by the virus, or who are indirectly affected by closure of institutions due to the State's declaration of a state of emergency (i.e., school/daycare/adult day program closures requiring employees to remain at home with dependents); and
3. Support of City of Albemarle leadership in making further decisions on behalf of the City as the situation continues to evolve.

Council asked Mr. Scott Hopkins, Customer Accounts Manager in the Public Utilities Department, to answer a question about offering utilities payment extensions. Mr. Hopkins informed Council that each customer is allowed 4 billing extensions a year. Normal policies about paying back outstanding utilities service bills will still be in effect.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, unanimously carried, Council approved continuing the City's policy of suspension of utility disconnections for the duration of the state of emergency related to the COVID-19 pandemic.

For Resolution 20-03, Council members had a few questions for staff.

- Who makes decisions on employee leave? That employee's supervisor along with City Human Resources.
- Will employees be granted this special leave first? Yes.
- Will all employees be allowed to use this leave? COVID-19 leave is conditional for employees who meet the following criteria: those who have contracted the disease, are caring for

someone who has contracted the disease, or who have dependents who have been affected by State or Federal policies related to the pandemic (i.e., school or daycare closures).

The City Manager noted that City of Albemarle policies and procedures are comparable to other municipalities, and are erring on the side of sensitivity to employees' needs while maintaining essential services to the public.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Whitley, unanimously carried, Council approved Resolution 20-03.

[Resolution 20-03 – Providing for Leave for Employees Adversely Impacted by COVID-19]

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hughes, unanimously carried, Council authorized City leadership to make timely decisions to keep City residents and employees safe and healthy during the COVID-19 pandemic.

Mayor Pro Tempore Hall followed with a suggestion that perhaps Council could hold their next meeting(s) via Zoom. Staff would need to confirm the City's ability to do this.

Copies of The City of Monroe Proclamation Declaring a State of Emergency were passed around to Council members. The one item described in that document that Council raised was curfew of minors. The City of Albemarle has a curfew ordinance that has been in effect for many years for children under the age of 18 to not be out in public spaces from 11:00 p.m. through 5:00 a.m. Sunday through Thursday, and midnight through 5:00 a.m. on Friday and Saturday. The only exceptions to curfew are if minors are accompanied by an adult 18 years and over, are traveling to or from a job, or are in an emergency situation.

COMMENTS/UPDATES

Mayor Pro Tempore Hall asked if Council members had any comments they would like to make. The following Council members provided remarks:

Councilmember Aldridge:

- Driving by 110 Park Ridge Road the other day, he noticed that progress is being made on the property.
- A plea was made to local candidates of primary elections to take down their political signs.
- Per the evolving coronavirus situation, he asked the public to use common sense and wash their hands, and to not panic.
- He commended the City of Albemarle leadership team in their responsiveness in communicating their decisions to Council thus far regarding City actions related

Councilmember Townsend:

- As an FYI, the EE Waddell Center paving project being performed in conjunction with the Heavy Equipment Program at Stanly Community College started but has now has been halted.

Councilmember Whitley:

- Congratulations go out to the 115 graduates of Tarheel Academy.
- Thanks to the Planning and Development Services staff for the review of changes to NC General Statutes Chapter 160A during the most recent Planning and Zoning Board meeting. It is going to take a lot of time and effort on the department's and City Attorney's part to become familiar with the General Statute changes and how to implement them by January 2021.
- As an FYI, the RPO meeting scheduled for later this week has been cancelled. There still is time to meet before the May 2020 deadline for submission of road project lists to NCDOT.

Councilmember Lowder:

- Kudos to the Assistant City Manager Nyki Hardy who continues to do an exceptional job.

Mayor Pro Tempore Hall:

- As an FYI she participated in last Thursday's conference call between the Governor and municipalities about the State's response to COVID-19.
- Stanly County Schools are beginning to provide meals (breakfast and lunch) available to all school-aged children via bus routes and school pick-up sites starting this week for the next two weeks (duration of Executive Order to close public schools through the end of March).
- A reminder that the 2020 Census has begun. Households should have received a mailer, and she hopes that everyone responds.
- As an FYI, the Norwood Police Department and churches have teamed up to help homebound individuals obtain items from stores and deliver them to their homes.
- To add on to Councilmember Whitley's statement about the General Statutes Chapter 160A changes, she noted that among the changes the NC General Assembly approved was combining Chapter 153 which applied to counties with Chapter 160A affecting municipalities.
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Finance Director Colleen Conroy came to the podium to remind all residents that they can pay any City bills online, by phone, by dropbox located outside City Hall, or by certified check from a bank.

CLOSED SESSION

Upon a motion by Councilmember Lowder, seconded by Councilmember Hughes, unanimously carried, Council approved moving into closed session pursuant to N.C.G.S. 143-318.11(a)(4) Economic Development, and N.C.G.S. 143-318.11(a)(6) Personnel.

RETURN TO OPEN SESSION

Upon motion by Councilmember Lowder, seconded by Councilmember Hughes, unanimously carried, City Council reconvened to open session. Mayor Pro Tempore Hall stated that a closed session was held pursuant to N.C.G.S. 143-318.11(a)(4) Economic Development, and N.C.G.S.

143-318.11(a)(6) Personnel. No Council decisions or actions will be taken as a result of the closed session.

Upon a motion by Councilmember Hughes, seconded by Councilmember Lowder, unanimously carried, the meeting was adjourned to the next regular City Council meeting on Monday, April 6, 2020 at 7:00 p.m. in City Council Chambers.