

REGULAR MEETING CITY COUNCIL  
March 19, 2012

The City Council of the City of Albemarle met in a regular session on Monday, March 19, 2012, at 7:00 p.m. in the City Hall. Mayor Elbert L. “Whit” Whitley presided, and the following Councilmembers were present to-wit: Troy E. Alexander, Martha Sue Hall, Judy Holcomb, Ronnie Michael, Jack F. Neel, Dexter Townsend, and T. Ed Underwood. Absent, none.

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Mayor Whitley called the meeting to order.

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Upon a motion by Councilmember Underwood, seconded by Councilmember Holcomb and unanimously carried, the minutes of the March 5 regular session, March 7 adjourned session, and March 8, 2012 adjourned session minutes were approved as submitted.

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The Mayor and City Council held a Public Hearing to consider the closing of the Community Development Block Grant for Morrow Chase. No one from the public spoke at the hearing.

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

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the Council approved closing the Community Development Block Grant (CDBG) for Morrow Chase and a certified copy of the minutes and a signed copy of the Closeout Accomplishments Package be submitted to Community Investment and Assistance.

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Ms. Wendy Napant came before City Council to request a peddler license. Ms. Napant came by administration on Thursday and filled out the application and turned in a background check. She would like to sell hotdogs from a push cart.

Ms. Napant answered any questions that Council had.

Upon a motion by Councilmember Townsend, seconded by Councilmember Underwood and unanimously carried, the Council approved a peddler license for Ms. Wendy Napant to sell hotdogs from a push cart.

Councilmember Townsend stated that questions as location of peddler, if they need to move around every so many hours, and them needing separate permission along with application and fee to operate in the City parks be addressed when applying.

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Mayor Whitley noted that the monthly administrative reports were in the agenda package.

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Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the Council approved removing Ordinance 12-09 from the consent agenda so as to vote on separately.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the following ordinances passed second reading and were duly adopted:

(Ordinance 12-08. Public Hearing – condemnation process for 401 Lincolnton Street)

(Ordinance 12-10. Public hearing-rezone 17.5 acres on Snuggs Street from R-10 Residential to GHB)

(Ordinance 12-11. Employee Pay Increase)

Councilmember Townsend stated that he has concerns with having Bird Road as the only location for sexually oriented businesses. Mr. Townsend stated that he is not advocating multiple locations for sexually oriented businesses. Instead, he thinks the City needs to find another location for these types of businesses because the location of Bird Road is in an industrial development. The City needs to find locations for these types of businesses outside the industrial development areas.

Councilmember Hall stated that this is the second reading of Ordinance 12-09 and the ordinance passed unanimously on 1<sup>st</sup> reading on March 5. Councilmember Townsend stated that on March 5, there was a lot of confusion during the 1<sup>st</sup> reading.

City Manager Raymond Allen stated that this area on Bird Road was not selected except by default because of it being 1000 feet from churches, public or private elementary schools, child day cares, nursery schools, public park or residentially zoned properties and 250 feet from a location with an on-premise ABC permit.

Councilmember Neel stated that the City Council is not advocating this use, just trying to restrict where sexually oriented businesses can locate.

Councilmember Hall moved to pass Ordinance 12-09 on second reading and to duly adopt. Councilmember Underwood seconded the motion. Councilmembers Alexander, Hall, Holcomb, Michael, Neel, and Underwood voted for the motion. Councilmember Townsend voted against the motion. The motion carried and Ordinance 12-09 was duly adopted:

(Ordinance 12-09. Public Hearing for a Text Change Amendment to Sec. 92.800(73 (b) of the Zoning Ordinance as amended.)

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The Mayor and City Council reviewed the Request for Proposals (RFP) for audit services. Per Council's request, the Finance Department sent out Requests for Proposal for Audit Services to 17 Audit Firms.

Finance Director Colleen Conroy stated that they received 10 RFP's and bids. This is the most bids we have ever received by request. She stated that the lowest bid was S. Preston Douglas Associates from Whiteville, NC, second lowest was Thompson Price Scott Adams & Company from Wilmington, NC and the third lowest was Anderson, Smith, Wike, PLLC from Rockingham, NC who is our current auditor. She stated that S. Preston, Douglas Associates does not have significant experience with conducting a Public Housing/Section 8 audit.

The next two firms run neck and neck for pricing and both are on the list of audit firms that have conducted a Public Housing/Section 8 audit that she received from the HUD office in Greensboro. City Accounting Manager Susan Bailey said that she has a very good working relationship with Ken Anderson and

would prefer to stay with his firm. She noted there is increased work and time required when changing auditors. Ms. Conroy answered any questions that Council had.

Councilmember Alexander said it is very difficult and time consuming to change auditing firms.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, the Council approved continuing with current audit services of Anderson, Smith, Wilke, PLLC from Rockingham, NC.

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Upon a motion by Councilmember Hall, seconded by Councilmember Underwood, and unanimously carried, an Ordinance entitled (Ordinance 12-12) "AN ORDINANCE TO AMEND FY 2011-2012 BUDGET" passed first reading.

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Upon a motion by Councilmember Hall, seconded by Councilmember Neel, and unanimously carried, an Ordinance entitled (Ordinance 12-13) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, ADOPTING A GRANT PROJECT BUDGET ORDINANCE RELATING TO BIOSOLIDS HANDLING STUDY," passed first reading.

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The Mayor and City Council considered an appointment to the Stanly County Emergency Radio Study. The City Manager noted that Stanly County is requesting that each municipality appoint a member to the Steering Committee for this study. The County is paying for the study, but is including representatives of other jurisdictions on the steering committee. The City Manager recommended that the City Council appoint Fire Chief Shawn Oke to this committee. He would consult with other City employees regarding input into the process, but would be the lead person for the City on this initiative.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Michael, and unanimously carried, the City Council approved

appointing Fire Chief Shawn Oke to the Stanly County Emergency Radio Study Steering Committee.

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The Mayor and City Council received a report on a burned house at 231 Concord Road. The City Manager noted that this item was brought up at the last meeting by Councilmember Underwood who raised concerns about work being done on this structure, speculating that work might be progressing without a County Building Permit. A Building Coordination form was approved by the City, but this is only one part of the building permit process and does not mean the County requirements have been completely satisfied.

Mr. Wolf stated this property is owned by Richard Huneycutt and he has not gotten a County Building Permit. Mr. Huneycutt understands that he has to get this permit before working on his property.

Mayor Whitley asked Mr. Wolf about a property that Mr. Huneycutt also owns on US Hwy. 52 N north of Oak Street. Mr. Wolf stated that this property is in the flood zone and he filled this in in 2008. He did not get permission from the City to fill and he needed to give the City a site plan. Mr. Wolf told Mr. Huneycutt he needed to provide the City with a site plan and information on work already completed on the property.

Mr. Wolf stated that the property owner has for the last two weeks been hauling off tires from the property. Mr. Huneycutt is just not moving as quickly as we would like. Everything he has done to the property, he has not had permission from the City to do. We are taking photos and keeping track of what he may or may not do. We can give citations but will give a warning first.

Upon a motion by Councilmember Michael, seconded by Councilmember Townsend, and unanimously carried, the City Council approved giving Mr. Huneycutt an official notice of violation and a deadline of when to have the property cleaned up, and deadline to acquire a permit, and record of what has been done given to Planning and Community Development Director Keith Wolf.

Councilmember Underwood asked Mr. Wolf about a new building Mr. Huneycutt owns at 430 Salisbury Avenue.

Councilmember Townsend asked if Council can restrict the number of permits to a property owner before a number of them are closed. If this is legal

by law, then place a limitation on the number of permits open to one property owner. Mr. Wolf stated that he will look into this.

Councilmember Michael asked about a burned property at 600 S. 2<sup>nd</sup> Street. Mr. Wolf stated that this property can be turned over to James Luster with Centralina Council of Governments.

Councilmember Holcomb stated that there is also a burned property at 1245 Wendover Avenue and asked how long before the owner has to do something with this property. Mr. Wolf stated that Fire Chief Oke thinks something has been turned in but he will check with Chief Oke and James Luster with Centralina Council of Governments.

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Upon a motion by Councilmember Hall, seconded by Councilmember Underwood, and unanimously carried, the City Council approved moving the Thursday, May 10 budget work session to Tuesday, May 15 due to a conflict with the NCMPA#1 Regional meeting.

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The Mayor and City Council considered attendance at the NCMPA#1 Regional Meeting. The closest Regional Meeting is at 6:00 pm on Thursday, May 10 in Concord. The City Manager noted that this meeting will conflict with the budget work session already scheduled for that evening, so City Council may want to reschedule the budget session. We can get a van and van pool to the meeting if enough people plan to attend.

Councilmembers Alexander, Hall, Holcomb, and Michael, Neel and Townsend confirmed their attendance.

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The Mayor and City Council considered attendance at the NCLM Regional Legislative Update. The City Manager noted that the closest meeting will be in Charlotte on Wednesday, April 18 from 11:30 am to 1:00 pm. These legislative updates are an excellent opportunity for the Mayor and Council to learn the latest about issues affecting municipalities from the legislature.

Councilmembers Alexander, Hall, Michael, Neel and Townsend confirmed their attendance.

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The Mayor and City Council received information on the Arbor Day Observance on Tuesday, March 20 at Noon. The City Manager noted that this brief observance will take place at the Roger F. Snyder Greenway entrance on Salisbury Avenue. Members of Council are invited and encouraged to attend this brief ceremony if their schedules permit.

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Councilmember Michael stated that he had asked at the RPO meeting about the lowering of the speed limit when doing roundabouts and he found out that they typically do not lower the speed limit.

Councilmember Michael thanked everyone involved in the Shamrock Criterium this past week-end and stated there was a good turnout.

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Councilmember Holcomb stated that she noticed this past Saturday two vans and people conducting yard sales beside of the Roger Snyder sign on the southern side by the Wiscassett Mills property.

City Manager Raymond Allen stated that the City does not own this property and that it is owned by A.L. Lowder.

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Councilmember Townsend stated that at the next Council meeting on April 2, he will have an update on his trip to the NLC Congressional City Conference in Washington, DC last week.

Councilmember Townsend stated that he remembers around a year ago Chief Michael speaking of Methamphetamine lab clean-up costs. Mr. Townsend stated that he saw on the news that these costs will not be paid by the counties and cities, but that the State will absorb these costs.

Councilmember Townsend stated that he would like to inform Council and the public that the Community Cleanup is scheduled for the week of April 9-14.

Councilmember Townsend also said that he is meeting with the residents of his District (1) on March 26 at 6 pm for their annual meeting at the EE Waddell Center.

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Councilmember Hall thanked Council on her being able to attend the NLC Congressional City Conference in Washington, DC. She stated that she and Councilmember Townsend attended a session of Finance of Infrastructure for water and sewer. They received handouts and will pass those on to Public Utilities Director Ellen Huntley. She also stated that the PowerPoint presentation that they viewed should be online for the City department heads if interested.

Councilmember Hall stated that she gave the City Manager notes on Tomorrow's Technology that she received at the conference.

Councilmember Hall stated there were two sub-committee sessions she attended which included Military Communities and Small Cities.

She in closing stated that it was a great conference for her and the National League of Cities is having Small Cities month in June with a designated conference in Lumberton the week of June 14-18.

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Upon a motion by Councilmember Underwood, seconded by Councilmember Alexander, and unanimously carried, the meeting was adjourned.