

REGULAR MEETING CITY COUNCIL

September 8, 2020

The City Council of the City of Albemarle met in a regular session on Tuesday, September 8, 2020 at 7:00 p.m. in the Council Chambers of City Hall. Mayor Ronnie Michael presided, and the following members were present, to-wit: Mayor Pro Tempore Martha Sue Hall and Councilmembers Bill Aldridge, Chris Bramlett, Martha E. Hughes, Dexter Townsend, Chris Whitley, and Shirley E. Lowder.

Mayor Michael called the meeting to order.

The Mayor gave the invocation. After the invocation the Mayor asked that everyone keep the family of Terry Almond in their thoughts and prayers. Mr. Almond, a Town Commissioner for the Town of Richfield, passed away this morning.

SPECIAL PRESENTATION

CALEA Accreditation Award

Police Chief David Dulin came in front of Council to discuss the department's reaccreditation. On Friday, July 31st, 2020, the Albemarle Police Department was awarded its 9th CALEA Law Enforcement Accreditation Award with Excellence. The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) is dedicated to the development and maintenance of critical law enforcement standards. These constitutionally grounded and portable sets of standards are structured to complement the needs of the public while also providing a foundational blueprint to support public safety agencies in the voluntary pursuit of excellence through accreditation. Governed by a 21-member commission composed of public safety leaders, state and local elected officials, judicial officials, state and local government officials, and other subject matter experts, CALEA ensures its standards dynamically consider changes in the professional environment. This includes consideration for legal findings and updates, case law, emerging evidence-based practices and research, technological advancements, and the importance of ongoing community engagement. A total of 484 standards were met in this site-based assessment.

The Mayor and Council thanked Chief Dulin and the APD for all the work they do.

The Mayor called for a motion to approve the August 10th meeting minutes. Councilmember Townsend asked that in the COVID19 update portion of the August 10th regular minutes that the following be stricken: “And if so, the City can evict them?”

Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, unanimously carried, the minutes from the August 10th regular meeting as corrected and closed meeting as submitted were approved.

PUBLIC HEARING

Major Subdivision Request 20-02 – Preliminary Plat Approval for Knollwood Park Major Subdivision

Planning and Development Services Director Kevin Robinson summarized this request. Council is being asked to consider approval of a 21 lot major subdivision on Knollwood Lane. The subdivision will include new street installment north of Knollwood Lane, as well as a future request for the assessment for improvements of the gravel section of Knollwood Lane. Staff believes this subdivision plat will meet the requirements for approval with minor changes with which the developer is in agreement. The Planning and Zoning Board approved this subdivision at its September 3rd meeting.

Staff recommendations are as follows:

1. Delineation of the location and course of 5’ sidewalk per Chapter 92.092 of the Code of Ordinances: Sidewalks and Pedestrian Amenities (G)(1);
2. Dedicated reserve strips/permanent easement for the intent of the open space requirement totaling 1.4 acres per Chapter 92.092 of the Code of Ordinances: Sidewalks and Pedestrian Amenities (E)(3) and Chapter 91.10: Minimum Design Standards (H).
3. Notation of the 26’ wide street with mountable curb and gutter for the stub street to the north. The street must be named as well.
4. Correct the total lot count on the preliminary plat.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, unanimously carried, Council approved Major Subdivision 20-02 for Knollwood Park Major Subdivision with staff recommendations.

ANNOUNCED DELEGATIONS

Mr. Paul Peters – To Discuss the Nehemiah Project

Mr. Peters is the owner of Covenant Case Management Services that serves folks with developmental disabilities similar to GHA and Monarch. He would like to present the nonprofit he and others started called Nehemiah Project. Nehemiah Project ministers to six different areas: homelessness, senior citizens, veterans, individuals struggling with addiction, those with mental health and intellectual disabilities, and at risk youth/abused women. They are currently working with many

community partners in Stanly County and want to present what they're doing and how they have been able to impact the community.

Mr. Peters noted that the Nehemiah Project started 2 years ago with the concept of bringing community together for the needs of the greatest. Their goals are to: help existing groups to serve the city; and to help fill gaps in service, such as the lack of transportation for low-income and disabled people. Some of the projects they have participated in over the last year are working to partner with Stanly County Schools to implement a lunch buddy program for low-income elementary school students (which is on hiatus currently due to COVID19), completing the library renovation for the EE Waddell Center, and assisting with local food drives.

Mr. Peters also stated that he is the owner of 4 Rivers consignment shop. All proceeds are given to the Nehemiah Project.

This October the Nehemiah Project is scheduling a fundraiser called "Walk a Mile in My Shoes." They hope the public participates in this.

The Mayor and Council thanked Mr. Peters for his work with the Nehemiah Project and his presentation.

Mr. Bob Garmon on Garmon Mechanical – To Discuss Traffic Flow Issues at Business

Locations

The Mayor noted that Mr. Garmon was not in attendance so the item was tabled.

UNANNOUNCED DELEGATIONS

Bishop James E. Richardson and Pastor Darryl W. Medley came in front of Council to thank the City for naming them the chaplains for the Albemarle Police Department.

The Mayor and Council thanked them for their continued service to the City and the Police Department.

Councilmember Aldridge entered the meeting.

ADMINISTRATIVE REPORTS

Jay Voyles, Development Coordination Specialist – To Provide an Update on the 2020

Census

Mr. Voyles is the City's lead for the 2020 Census efforts. He came in front of the Mayor and Council to provide an update on Census activities and progress.

There are 2 ways to track households' response rate: self-response (i.e., taking the survey without prompting), and total enumeration, which is the self-response rate plus follow-up by Census enumerators. The self-response rate for NC currently is 61.4%, 62.4% in Stanly County, and 61.1% for Albemarle. In NC the total enumeration rate is 82.1%; this rate is not broken down any further than at the state level.

The Winston Salem Area Census Office, who covers 14 counties including Stanly, is 56% complete with the non-response follow up workload for enumerating those who did not self-respond. We have until September 30th, 2020 to get a full and complete count of our community. These enumerators are currently out in our local neighborhoods, following up with non-responding households to ensure they are counted for the 2020 Census. Enumerators have been to local group care facilities, homeless shelters, soup kitchens, colleges, prisons and assisted living centers in order to enumerate individuals at those locations.

The City's participation in encouraging Census participation involves his efforts in following areas:

- Assisting in the deployment of mobile questionnaire assistants at City-sponsored events such as the Food Truck Fridays;
- Working with Stanly County Census workers to target low response communities by dispersing Census handouts, bags, pens, chip clips, notepads, lanyards; and
- Initiating a daily social media information campaign for September.

The Mayor noted that it is important to complete the Census survey, as many funds from federal and state sources are based on population of the City of Albemarle as counted by the Census. If any resident has any questions or concerns about the Census, call the city general line at (704) 984-9400 and ask for Jay Voyles.

Mr. Voyles took questions for the Mayor and Council. They included:

- What is the least performing area in Albemarle in terms of Census response? It is the census tract bounded by US Highway 52, Route 24-27, and East Main Street. The neighborhoods by Leonard and Amhurst are particularly low in their response rate.
- Is there any literature distribution at the middle school? Yes
- Are there efforts Public Housing staff could take to reach out to the public housing community? Per Public Housing Director Lee Staton, staff has contacted Section 8 families about Census participation and placed information about how to respond to the Census in its last 2 newsletters. Could staff include Census reminders with inspections they do? Yes they will do that.
- Are there many Census enumerators out in Albemarle? Unfortunately, since Albemarle has been categorized as "high risk" in terms of COVID19 transmission, there have not been as many enumerators deployed as in other Censuses.

Councilmember Aldridge stated that he hopes that local media (SNAP and news radio) will also support the Census efforts in this last month.

The Mayor and Council thanked Mr. Voyles for his presentation.

Adam Kiker, LKC Engineering – Discussion of Needed Concrete Repairs at US Highway 52 Water Treatment Plant

Mr. Adam Kiker, LKC Engineering, presented to Council for consideration a resolution supporting an application for funding for the Long Creek WWTP Conversion to Fine Bubble Aeration System. For Clean Water Act revolving loan funds, applications are due by September 30th. For a city like Albemarle, the financing rate would be 20 years at 1.1%. The first debt payment would not be due until FY 2025.

Within the resolution document, the Mayor and Council requested that the phrase “(loan or grant)” be changed to “(loan and grant)” due to the fact that the City will require both types of financing in order to meet the financial obligations for the cost of this project. Mr. Kiker noted the change.

Per a comment by a Councilmember about wanting a better understanding of the wastewater treatment process being proposed before making a decision on financing it, City Manager Michael J. Ferris provided a summary for Council.

The Mayor called for a motion. Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, and passed with a vote of 6 Council members for, and 1 against, Council approved the amended resolution for authorizing financing for the WWTP rehabilitation project. Council members voting for the motion were Hall, Hughes, Whitley, Lowder, Townsend, and Aldridge. Councilmember Bramlett voted against the motion.

[Resolution 20-12 – To Arrange Financing for the WWTP Conversion to Fine Bubble Aeration System]

MUNICIPAL CALENDAR

Mayor Michael and Councilmembers received the municipal calendar prior to the meeting. The Mayor asked if Council had any questions or comments about the calendar.

CONSENT AGENDA

The Mayor asked if Council wanted to move any items on the consent agenda. Mayor Pro Tem Hall requested that the following items be moved off the consent agenda: Resolution to Adopt the Employee Handbook, Information – HRC Ordinance and Guidelines, Information – Food Truck Fridays at City Lake Park, and Reminder – Webinar: Festivals and Events – What Will They Look Like in the Future?

Ordinance 20-21 – Budget Amendments

This ordinance is to appropriate Water/Sewer Fund Balance for asphalt repair on Hwy 52N to include milling and overlay to finish grade, traffic control, pavement markings and mobilization per NCDOT Specifications, Appropriate Fund Balance Reserved from Drug Seizure of \$32,500 for SRT bullet proof vests, and Unassigned Fund Balance in General Fund for Legal Fees.

[Ordinance 20-21 – To Amend the FY 20-21 Budget]

Ordinance 20-22 – To Create a Three-Way Stop Intersection at Montgomery Avenue and North Second Street

This Ordinance and change was authorized by the City Council at the August 10th, 2020 meeting.

[Ordinance 20-22 – To Create a Three-Way Stop Intersection at Montgomery Avenue and North Second Street]

Public Housing Department Write Offs FY2019-2020

FY 2019-20 Public Housing move-outs with outstanding balances require Council approval to be written off and turned over to the City of Albemarle Finance Department for the NC Local Government Debt Setoff Clearinghouse.

Consider Approval of Tour de Elvis Cycle Tour

The 11th annual Tour De Elvis Cycle event will be held on Saturday, September 12th. The cycle tour will consist of 25, 45, and 65 mile routes all over Stanly County. To receive authorization from NCDOT for this event, City Council needs to approve the event.

There will not be any street closures. Registrations for the event will be taken online only and participation will be limited to no more than 100 riders. Each route will leave in 15 minute increments to ensure cyclists are spread out.

Upon a motion by Councilmember Hall, seconded by Councilmember Bramlett, unanimously carried, Council approved the following:

- Ordinance 20-21 to appropriate Water/Sewer Fund Balance for asphalt repair on Hwy 52N to include milling and overlay to finish grade, traffic control, pavement markings and mobilization per NCDOT Specifications, Appropriate Fund Balance Reserved from Drug Seizure of \$32,500 for SRT bullet proof vests, and Unassigned Fund Balance in General Fund for Legal Fees;
- Ordinance 20-22 to create a three-way stop intersection at Montgomery Avenue and North Second Street;
- Public Housing Department FY 2019-2020 write-offs; and
- Holding the 11th annual Tour de Elvis Cycle Tour on Saturday, September 12th.

Resolution to Adopt Employee Handbook

Council approved the draft revised Employee Handbook changes on August 10, 2020. As the City's prior Personnel Policy has always been approved by resolution, this item provides a resolution summarizing adoption of the new Employee Handbook.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, unanimously carried, Council approved the resolution adopting the revised employee handbook.

[Resolution 20-11 – To Adopt the Employee Handbook]

Information – Historic Resources Commission (HRC) Ordinance and Guidelines

Mayor Pro Tem Hall requested Council be provided with a copy of these regulations. She brought this item to Council's attention due to her perspective that the HRC Guidelines may be dated and not in line with the City's current approach and efforts to encourage new business growth in downtown Albemarle.

Discussion among the Council and Planning and Development Services Director Kevin Robinson occurred, highlighted by the following themes:

- The relative strictness of the HRC guidelines and their possible effect on local business owners to establish businesses in the downtown area;
- How the City of Albemarle's guidelines compare to the City of Concord's;
- Statistics show 90% of local business requests which come in front of the HRC are approved; and
- The language in the guidelines is standard and used in municipalities with historic downtown district designation regardless of their size or type.

When asked about any recommendations, the following Council members responded:

- Councilmember Whitley: Council should be careful that they do not shift too far the other way.
- Councilmember Lowder: Council should not be comparing themselves to the City of Concord, which has vastly larger funds at hand than the City of Albemarle. Comparisons to cities like ours would be more appropriate.
- Councilmember Aldridge: Now is the time to revisit the guidelines because the city is poised for growth in the next few years.

The Mayor requested that the Planning and Development survey feedback be brought to Council at a future meeting to discuss this item further.

Information – Food Truck Fridays at City Lake Park

The Rebound Round-up event in August was so successful that this event will continue through September.

Scheduled Dates and Locations for Food Truck Fridays:

- * September 4 - City Lake Park - 5:30 pm - 8:00 pm
- * September 11 - Market Station - 5:30 pm - 8:00 pm
- * September 18 - City Lake Park - 5:30 pm - 8:00 pm
- * September 25 - City Lake Park - 5:30 pm - 8:00 pm

Mayor Pro Tem Hall gave an “attaboy” to Parks and Recreation and Director Lisa Kiser for proactively extending this event out through the end of September.

Reminder: Webinar: Festivals and Events – What Will They Look Like in the Future?

Leverage NC is hosting a free webinar to discuss how festivals and special events will look now and into the future due to COVID-19. The date and time for the webinar is Tuesday, September 15th from 1:00 pm - 2:30 pm.

Mayor Pro Tem Hall applauded Parks and Recreation Director Lisa Kiser for forwarding this webinar offering to Council. She hopes that Parks and Recreation staff participate in the webinar too.

UNFINISHED BUSINESS

Traffic Study in South Albemarle Area

Police Chief David Dulin came in front of Council to present the study results. Members of the Albemarle Police Department (APD) set out the traffic trailer on 14 different streets from June 20th until August 26th to collect data, such as vehicle counts and speed. Data was also collected on all motor vehicle accidents occurring during those times to see if there was a pattern of issues on these streets.

The data itself does not show a consistent issue on these streets, but that does not mean there are not motorists that do create problems. As a practical matter, it would be difficult based on the volume and speed data to justify the installation of speed bumps at these locations and not on a majority of streets in the City. Speed bumps also tend to push the issue elsewhere and can create other concerns, such as acceleration noise at the locations and reduced response times for emergency vehicles.

There are a few ideas staff has developed for consideration:

1. There could be a heavier speed enforcement presence on these and surrounding streets.
2. Pavement markings could be added as they are known to have a psychological effect on the perception of what a safe traveling speed is for a certain area. The striping of center lines, shoulder lines, and potentially parking spaces reduces the available travel lane and thereby causing motorists to drive more slowly.

3. The speed limit on these streets could be reduced. The City would need to post the new speed limit on each street.
4. As the Police Department is looking for and finding new ways to build relationships, an option would be to work with interested citizens to identify those that create the speeding issues and focus on these motorists or the times and location that are a particular problem. This would take cooperation, but it does have the benefit of the Police and residents working together and these relationships could be very beneficial in other instances.

Also, a combination of the items above could also be implemented to address the concerns.

Have residents been apprised of the study results? No but APD plans to contact and sit down with the community members who presented their petition in front of Council. Councilmember Aldridge spoke about the recent CharMeck Police initiative on I-485 and the resulting announced increased police surveillance and ticketing there to reduce speed as a possible strategy to consider.

Council supports APD and the community to jointly consider solutions to the stated problem, and bring those solutions in front of Council at a future date for consideration.

NEW BUSINESS

Consider Payment in Lieu of Assessment for a Sewer Line Installation on Sibley Street

Development Coordination Specialist Jay Voyles has been working with a property owner at the end of Sibley Street to provide City sewer service. The situation is outlined in a memorandum Council received prior to the meeting.

Instead of undertaking the entire petition process, the applicant Mr. Moyle is agreeing to pay up front to the City the full amount the City would receive if the extension went through the assessment process. By requesting this, the City would: receive the money up front; eliminate the need to conduct public hearings or distribute newspaper notices and mailings to other property owners; and avoid a highly procedural and protracted process. When applying the standards for assessment, this request would be eligible for the corner lot exemption due to the lots on Sibley and South First Streets, and a 10% discount for paying in full. As a result, the amount due that is equal to the eligible assessment is \$1,296.00.

The City has approved similar requests on multiple occasions in the past. The end result is the same as if the formal assessment process was undertaken, but the parties avoid other costs and a lengthy process, and other potentially affected property owners are not required to pay.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hall, unanimously carried, Council approved payment in lieu of assessment for sewer line installation on Sibley Street.

Consider Appointments to Boards and Commissions

Staff requests that Council consider the following appointments/reappointment to the following Boards and Commissions of the City of Albemarle:

Historic Resources Commission:

- *Seat 2*, Mr. Marvin Smith resigned effective August, 2020.
- *Seat 6*, Mr. Gene Starnes, who served a full term that expired July 1, 2020. He is not eligible for re-appointment.

Parks and Recreation Advisory Board:

- *At Large seat*. Mr. Rick Johnson's seat expired on July 1, 2020 and is currently vacant. Mr. Johnson was contacted in late August, and verbally committed to another term on the Board.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council approved the reappointment of Rick Johnson to another term on the Parks and Recreation Advisory Board.

Council discussed again the lack of sufficient and/or appropriate volunteers for these vacant positions on the Historic Resources Commission. Council and the Mayor agreed that they should try to seek out residents to serve on City boards and commissions and complete volunteer applications.

Motions to fill the 2 vacancies on the Historic Resources Commission were tabled until the September 21st meeting.

Consider Replacement on the Stanly County Convention & Visitor's Bureau

Councilmember Townsend requested this item be discussed by Council. The Mayor asked if any other Council member would take the position. There were no affirmative responses by other members. Councilmember Hughes, who also sits on the Bureau, stated that meetings occur the second Wednesday of every month. Council noted that previously the 2 slots that the City of Albemarle filled on the Bureau were for a citizen and a member of City Council.

The Mayor requested that Council seek out a citizen replacement to fill Councilmember Townsend's seat. He asked if Councilmember Townsend would serve until then. Councilmember Townsend agreed.

Ribbon Cutting Activities for New Police Headquarters

The Police Department will schedule a ribbon cutting event at the Police Headquarters building when the remainder of the work is complete. Mayor Pro Tem Hall had requested this be placed on the agenda for discussion. She noted that a resident specifically asked her about a public viewing/ribbon cutting event because for the last few new buildings that has happened. The Mayor

asked Council if they should try to schedule it now or wait until later due to COVID19 and limitations on large crowds.

A Council member raised the idea of Chief Dulin spearheading a virtual tour presentation that could be placed on the City's website. Council liked that idea.

Upon a motion by Councilmember Lowder, seconded by Councilmember Aldridge, unanimously carried, Council authorized Chief Dulin and the Albemarle Police Department to create and implement a virtual tour of the new Police Headquarters Building.

Discussion of Neighborhood Theatre

Mayor Pro Tem Hall asked this item be placed on the agenda to discuss the new name and the dedication plaque. She asked if a building dedication has occurred yet. The Mayor replied that the building with the new name opened right around the time COVID19 became an issue and so it has not been done yet, but should be done in the future.

Finance Director Colleen Conroy came in front of Council and expressed a concern about not having a dedicated bathroom for performers backstage in the building. Parks and Recreation Director Lisa Kiser answered via phone. She stated that Parks and Recreation is aware of the bathroom issue but it has not affected rental bookings there. A port-a-potty has been placed backstage.

COMMENTS

Mayor Pro Tem Hall:

- Is the Police Department thinking of moving the Safe Exchange box? Per Chief Dulin, APD is looking at relocating the box.
- As an FYI the COG has a new logo.
- Is Henning Drive on the street paving/resurfacing list? A resident who lives on that street mentioned it to her. Per Public Works Director Ross Holshouser, paving that street would take half of the budget reserved for streets maintenance to do. City Manager Michael J. Ferris offered to provide the study the contracted engineer completed on our streets to Council via email.
- She has gotten comments from a few residents of the treetop tower in East Albemarle. Per Planning and Development Services Director Kevin Robinson, this was approved by Council as one of the stealth measures to hide the tower top.
- Charters of Freedom update – She has had a phone call with the folks at Foundation Forward. They are planning to start construction here in Albemarle late this month. A Council member asked why the city has to fundraise for this effort. The City is fundraising because it was in the agreement to do so, which would partly fund the City's installation and partly fund another municipality to have it installed. She believes she is on the committee for fundraising, but is awaiting notice from Foundation Forward to confirm.
- FYI – this month is Pediatric Cancer Awareness Month. A shout out goes to Joy Almond and ADDC for their efforts in trying to get the water in the fountain in Courthouse Square dyed gold.

At first it couldn't be seen, and after a few more attempts with the dye, ADDC purchased lights placed at the bottom of the fountain that project a variety of colors in the fountain.

- She was happy to see many people over the weekend at Carolina Treetop Challenge.
- She noted that Council met with the homeless committee about 6-8 months ago. She is hoping that someone will push this effort and get it up and running again.

Councilmember Hughes:

- She commended Parks and Recreation Director Lisa Kiser for putting up walking path route signage by the Y. It's very nicely done. Will those route maps be available via mobile? Ms. Kiser replied that she intends to place them on the City website. Councilmember Hughes noted that she saw the medallions, which look nice. Ms. Kiser replied that the City has ordered extra medallions to put in between the current ones laid out so there will be more. The grand opening/ribbon cutting for the walking paths is being planned.

CLOSED SESSION

The Mayor called for a motion to appoint Councilmember Hughes as acting clerk during the Personnel portion of closed session. Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, unanimously carried, Council approved Councilmember Hughes to be acting clerk during the Personnel portion of closed session.

Upon a motion by Councilmember Whitley, seconded by Councilmember Hall, unanimously carried, Council approved moving into closed session pursuant to N.C.G.S. 143-318.11(a)(3) Consultation with Attorney, N.C.G.S. 143-318.11(a)(4) Economic Development, N.C.G.S. 143-318.11(a)(5) Real Estate, and N.C.G.S. 143-318.11(a)(6) Personnel.

RETURN TO OPEN SESSION

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall and unanimously carried, Council returned to open session. The Mayor stated that a Closed Session was held pursuant to N.C.G.S. 143-318.11(a)(3) Consultation with Attorney, N.C.G.S. 143-318.11(a)(4) Economic Development, N.C.G.S. 143-318.11(a)(5) Real Estate, and N.C.G.S. 143-318.11(a)(6) Personnel.

The Mayor called a motion to authorize City staff to develop parallel angled parking along North Street from Second Street to Depot Street. Upon a motion by Councilmember Aldridge, seconded by Councilmember Bramlett, unanimously carried, Council approved the motion.

The Mayor called for a motion to set a public hearing for the September 21st regular Council meeting to consider a tax incentive for Earnhardt Exchange LLC for development of the old

Lowder Hardware Store building. Upon a motion by Councilmember Bramlett, seconded by Councilmember Hall, unanimously carried, Council approved the motion.

The Mayor called for a motion to approve a 1% salary adjustment for the City Manager effective the next pay period. Upon a motion by Councilmember Whitley, seconded by Councilmember Aldridge, unanimously carried, Council approved the motion.

Upon a motion by Councilmember Lowder, seconded by Councilmember Aldridge, unanimously carried, the meeting was adjourned to Monday, September 21, 2020 at 7:00 p.m. in City Council Chambers.