

REGULAR MEETING CITY COUNCIL

October 5, 2020

The City Council of the City of Albemarle met in a regular session on Monday, October 5, 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, and Chris Whitley. Absent: Shirley E. Lowder.

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Mayor Michael called the meeting to order.

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The Mayor gave the invocation.

After the invocation the Mayor announced that this week is Public Power Week. Although typically the City's Public Utilities team does community service projects during this week, because of the pandemic they will instead hang banners honoring frontline heroes helping the community during the pandemic. He noted that the power generated for the City of Albemarle is "clean" energy. He thanked residents for supporting the City's utilities.

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**SPECIAL PRESENTATION**

Presentation of a City of Albemarle Retirement Certificate – David Whitley, 15.91 Years of Service

The Mayor presented Mr. Whitley a plaque in gratitude for his almost 16 years of service. Mr. Whitley retired on April 21<sup>st</sup>, 2020.

Council and the Mayor thanked him for his service.

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Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, unanimously carried, the minutes from the September 21st regular and closed meetings as submitted were approved.

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**PUBLIC HEARING**

Consider Application for the Albemarle Downtown Area Revitalization (ADAR) Grant

The Albemarle Downtown Area Revitalization (ADAR) program is a grant program designed to offer assistance and incentive for property renovation and investment in the Municipal Service District downtown.

The ADAR program provides a grant back in the amount of new, taxable investment for a period of 5 years. The grant is based on both the City-wide property tax and the municipal service district tax. The City coordinates with the Tax Assessor's Office to take a before and after snapshot of the taxable value of the property. The difference between pre- and post-renovation values is the amount of the increased taxes that will be paid. Upon completion and payment of property taxes, the City will verify the payment of property taxes and provide the grant to the applicant each year. In this way it operates very similarly to the investment-based grants the City has approved recently with manufacturing operations that have expanded.

An application from Earnhardt Exchange, LLC to be considered for an ADAR grant had been received and reviewed by Council prior to the meeting.

The Mayor called for the public hearing to be opened and asked if anyone would like to speak on the topic. No one came in front of Council.

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

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hall, unanimously carried, Council approved the application by Earnhardt Exchange, LLC for an ADAR grant.

#### Consider TA 20-02 – Amending Uses in the Central Business District

A public hearing was conducted to consider adopting amendments to City Code of Ordinances section 92.083. The ordinance would remove some automobile related uses from the Central Business District (CBD). If adopted, any businesses currently in operation in the CBD district would be grandfathered.

Planning and Development Services Director Kevin Robinson presented the ordinance and summary of changes to Council. He noted that in its October 1<sup>st</sup> meeting, the Planning and Zoning Board had approved these changes, as well as additional changes related to farm machinery. The additional changes would not be addressed tonight because the public notice did not specify this type of change to the Code of Ordinances and so will be considered by Council at a future date.

Councilmember Whitley asked how the grandfathering of the Code of Ordinance change proposed in the ordinance in front of Council tonight would work. What if a business changes ownership – would that business still be grandfathered in? Per Mr. Robinson, a business being grandfathered is considered through the perspective of the property, not ownership of the property. There is a 180-day window for businesses affected by this Code of Ordinances change to be grandfathered in.

The Mayor called for the public hearing to be opened and asked if anyone would like to speak on the topic. No one came in front of Council.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, unanimously carried, Council closed the public hearing.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, unanimously carried, Council approved TA 20-02 amending uses in the Central Business District via Ordinance 20-25.

[Ordinance 20-25 – Amending Uses in the Central Business District]

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**ADMINISTRATIVE REPORTS**

Mr. Durham Lewis – To Present the FY 2019-20 Albemarle ABC System Audit

This item was tabled to a future meeting.

Marilyn Wells, Waste Management – To Discuss Loose Leaf Collection and Recycling Service

Ms. Wells reviewed preparations for the upcoming loose leaf collection season. City staff already met with Waste Management to review the upcoming season. A copy of the loose leaf collection map and schedule that Council received in the meeting packet will be posted to the City website, social media outlets, and distributed as a utility bill stuffer. Leaf collection will begin on October 19<sup>th</sup>.

Ms. Wells also discussed a change in the recycling schedule designed to improve service delivery and consistency. The change will still provide once every other week curbside recycling collection, but would split the City into two separate collection weeks for recycling. Each customer would keep their same day of service with half receiving recycling service one week, and the other half the following week. Their plan is to begin an educational and information campaign with the change occurring in approximately mid-January. She answered questions from Council, which included:

- What is the timing of the rollout of the new recycling schedule? Both Ms. Wells and City Manager addressed the question. Since the holidays are not an optimal time to start a new program, it is anticipated that mid- January 2021 would be a good time to implement the new collection schedule after a public relations/media campaign to make residents aware of the change.
- Can the difference between bulk, waste, and recycling pickup be explained? Bulk pickup is for larger items such as mattresses and there is a separate truck for that service. There is a claw truck which picks up limbs. There are separate trucks also for trash and recycling. Ms. Wells encouraged residents to be aware of any ripped bags or any items not picked up by the trucks and to alert WM to the missed item(s).
- Where do recyclables go after being picked up by WM? They are first all sent to a bay here locally to be loaded onto trailers for a trip to WM's Winston-Salem single stream facility.
- A reminder about masks being worn during the pandemic – they should be disposed of in the trash, not recycling.

Council thanked her for the information and her updates.

#### Introduction of Carmen Randall – Uwharrie Marketing Association

The City has contracted with Carmen Randall of Uwharrie Marketing Association to perform public relation services for the City of Albemarle. The City was unable to fund a Public Information Officer (PIO) this fiscal year; however, this helps the City to move in the direction of telling our story in a strategic way. Ms. Randall previously worked as the marketing and promotions coordinator for the Stanly County Chamber of Commerce and has now started her own marketing firm. Her scope of services to the City will include advancing Albemarle's image and brand as a city and community and building and strengthening media relationships, with both local and regional media, to bring positive exposure to our community. The timing of this also aligns perfectly with the community survey, as we can utilize Uwharrie Marketing to manage communications for that effort.

Ms. Randall came in front of Council to introduce herself and provide brief remarks about her business and how she will help the City promote itself. Council thanked her for her remarks.

#### Update on Strategic Planning and Priority Setting Process: Community Survey

The City is continuing to build on the enhancements made to our budget process and City Council's priority setting. In June 2020, City Council members completed a survey to provide feedback on the FY19-20 process. In Council's feedback was a recommendation to administer a community survey. Council's survey results were provided to Centralina Regional Council (CRC), formerly known as CCOG, to develop the scope of work for this year's strategic planning process, which will include a community survey. Many local governments survey their community to inform their goals and priorities.

Ms. Geraldine Gardiner from CRC called into the meeting to brief City Council on how CRC and staff plan to implement a community survey for the City of Albemarle and to take questions. The overall plan is to seek input on what questions to ask from City directors and a number of resident volunteers. CRC has partnered with Qualtrix, a survey company, to administer the survey online. A paper copy of the survey also will be available in order to maximize community participation. An outreach strategy needs to be developed. The timeline for survey development would be November-December 2020 with an estimated timeframe of January-February 2021 for the final version of the survey to come in front of Council for review and approval.

Questions she addressed from Council included:

- With which other municipalities has CRC facilitated a community surveying process? Marvin (in Union County) and Belmont (Gaston County) most recently.
- Would CRC include questions used to survey residents about special events? That will be reviewed in the initial phases of survey development.
- Would CRC consider providing options to present to the community so that it can help them visualize what kinds of concrete ideas/projects the City could consider? CRC will definitely make sure that residents are informed in the first phase of the process.

Joy Almond, Main Street Manager – To Provide an Overview of the NC Main Street Program Annual Report

As part of the City's certification and inclusion into the NC Main Street Program, we must meet NCMS Program guidelines. For example, we must have a structure in place to support the 4-pillars on the NC Main Street Program philosophy. An annual report of activities related to the program is also a requirement.

Main Street Manager Joy Almond reported on the activities conducted by the Main Street Program over the past year (July 2019 through June 2020). Highlighted data from her report includes:

- A total investment of \$18,650,534 in downtown Albemarle (\$14,887,728 in private investments and \$3,762,806 in public investments);
- Two net full time jobs created (16 gained minus 14 lost);
- Five businesses opening up, 2 closing down, and 3 expanding;
- Volunteer time totaling 439 hours at a value of \$9,425; and
- A total of \$13,150.18 in matching funds from the Albemarle Downtown Development Corporation was awarded to 7 businesses to aid in façade repairs, signage and landscape improvements.

So far in 2020 ADDC hosted 6 events, with fall and Christmas holiday events forthcoming.

Council thanked Ms. Almond for her report.

Update on Reimbursements for Damage Incurred from Hurricane Florence

Assistant Finance Director Jake Weavil provided an update on the status of eligible funds for damage sustained from Hurricane Florence. It has been two years since the storm, but as previously reported, the typical FEMA closeout period for larger projects is approximately 3 years.

A total of \$592,000 has been awarded to the City of Albemarle for recovery efforts. Of this amount, \$429,000 has been spent so far, with 4 recovery projects complete. Of the portion of remaining funds, Parks and Recreation will receive \$159,000 for recovery and rehabilitation projects.

Council thanked Mr. Weavil for his report.

Update on Public Housing Assessment System Recovery Plan

Director of Public Housing Lee Staton provided this update requested by Councilmember Hughes. HUD conducts an assessment annually for public housing authorities. For FY 2018-2019, City of Albemarle Public Housing received a rating of 67 with low marks in two of the 4 indicator areas used to derive the composite (total) score. As a result of the score the Public Housing Department is required to provide a report every year in order to improve its score.

Prior to receiving the HUD assessment system recovery score, in March 2019 the City of Albemarle submitted to HUD its recovery plan. The plan recommended the following:

- A new physical needs assessment;
- Advancing capital improvement funds in the 5-year plan;
- Adjustment of the inspection process; and
- Increased resident education.

Since being hired in March, Mr. Staton has worked to comply with the recovery plan by implementing the following changes:

- Staff enforcing current policies;
- Improvements in processes; and
- Scheduling a 2-day retreat for Public Housing staff to review current Public Housing policies, among others.

Mr. Staton has asked staff to work with Stallings Architects, contractors, and internally to update the physical needs assessment dating back from 1993. This is being done so there is more advance planning around what the physical needs will be over the next 10-15 years.

In terms of capital funds, Public Housing Department currently has \$1.3 million in capital funds, but has spent all but about \$300,000 of it. He is polling staff to consider how the remaining funds should be dedicated.

Mr. Staton has toured half of the public housing units and talking with its residents about issues and concerns.

In addition, Mr. Staton has done the following: requested that Public Housing staff complete public housing inspections by December 31, 2020; regularly attends public housing community meetings; and implemented a newsletter that is distributed out to all public housing customers.

A Councilmember requested an update on the door project. Mr. Staton reported that the project is in process and is about 30% done. There is a backlog on some of the work due to door hardware not being available as a result of door parts manufacturers slowing or shutting down because of COVID19. Per latest information from the parts manufacturer, parts should arrive in November and work should resume.

Another Councilmember asked for an update on playground equipment installation. In reply Mr. Staton stated that he engaged Parks and Recreation staff to help with the installation and assess the equipment that currently is in storage. It is an effort which will take some time to complete.

A Councilmember asked what the timeframe would typically be if HUD came to inspect and found item/s for improvement. The normal timeframe would be a 14-day turnaround. However due to COVID19, it is anticipated that HUD will not resume on-site inspections until next year.

Council thanked Mr. Staton for his report.

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**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.

Councilmember Whitley noted that the Rocky River RPO will meet on October 19<sup>th</sup> virtually via a Zoom meeting.

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### **CONSENT AGENDA**

The Mayor asked if Council wanted to move any items on the consent agenda. Mayor Pro Tem Hall requested that the Pee Dee Avenue trick or treating street closure request be taken out.

#### Ordinance 20-26 – To Amend the FY 2020-21 Budget

The proposed Budget Amendment addressed:

- The City received \$60,650 from the Department of Commerce for a job creation grant to EnForge. As the pass through, this amendment appropriates the money per our agreement to be sent to EnForge.
- Per Parks/Recreation Director Lisa Kiser, we are incurring \$162,800 in expenditures for repairs to facilities damaged by Hurricane Florence. We anticipate FEMA reimbursement for these expenditures.

[Ordinance 20-26 – To Amend the FY 2020-21 Budget]

#### Consider Agreement with Stanly County Schools to Provide a Remote Learning Location

This agreement is related to the City's plans to offer a supplemental education program to middle school students. Stanly County Schools has submitted a Memorandum of Understanding (MOU) with the City of Albemarle to provide a remote learning location at EE Waddell Center. This agreement would offer all day remote learning with supervision, physical activity, and socialization for middle school children. Approval of this agreement is necessary to be designated a Community Based Organization (CBO) for the purposes of operating a supplemental education program under the CARES Act.

#### Consider Agreement between Stanly County Schools and City of Albemarle for an Afterschool Program

The Stanly County Schools (SCS) SPARK program would like to use a room at the Niven Center for an afterschool program for middle school children. The program would run Mondays – Thursdays from 1:30 pm – 4:30 pm. SCS has agreed to pay \$20/day for the room and \$40/day for transportation from Albemarle Middle School to Niven Center. Total revenue received each day is \$60. Total revenue each month is \$960.

Staff from the SCS SPARK program provide all materials, snacks, and supervision for the program.

Consider Rescheduling the January 18, 2021 Meeting to January 19, 2021 Due to a Conflict with the MLK Jr. Holiday

The MLK Holiday is a City-observed holiday and this Council meeting is traditionally rescheduled to the following day, which would be Tuesday, January 19, 2021 at 7:00 p.m.

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

- Ordinance 20-26 amending the FY 2020-21 budget for pass-through incentive funds for EnForge and \$162,800 in expenses incurred for repair to Parks and Recreation facilities damaged by Hurricane Florence;
- A Memorandum of Understanding (MOU) between Stanly County Schools and the City of Albemarle to provide a remote learning location at EE Waddell Center;
- A Memorandum of Understanding (MOU) between Stanly County Schools and the City of Albemarle to use a room at the Niven Center for an afterschool program for middle school aged children; and
- Rescheduling the second Council meeting in January 2021 to Tuesday, January 19, 2021 at 7:00 p.m.

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Proposed Pee Dee Avenue Street Closure for Trick or Treating

Residents on Pee Dee Ave have requested City Council to close the street to through traffic from Miller to Ridge Street on Halloween night from 5:30 to 9:00pm as was done last year. In order to address concerns related to COVID, a map of road closures as well as CDC advice for safer trick or treating will be given to homeowners along Pee Dee Ave and placed on the website. Council will be presented with this information as well.

This was moved in order for Council to discuss further COVID19 concerns.

Councilmember Bramlett noted that Council could consider approving the street closure request provided that the neighborhood follow the CDC and state health guidelines regarding trick or treating and prominently post those guidelines on social media. Planning Director Kevin Robinson noted this was in the draft information and was staff's intention to publicize.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hughes, unanimously carried, Council approved the Pee Dee Avenue street closure on Halloween with the above noted stipulations.

**UNFINISHED BUSINESS**

Consider Appointments to Boards and Commissions



This item was held over from the September 8, 2020 meeting. Council agreed to seek volunteers to fill the below vacancies:

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.

Since there were no applicants to consider, this item was tabled to the October 19<sup>th</sup> meeting.

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

This item was held over from the September 8, 2020 meeting. Council agreed to seek candidates for consideration.

Since there were no applicants to consider, this item was tabled to the October 19<sup>th</sup> meeting. Councilmember Bramlett stated that he might have an interested resident. The Mayor requested that Councilmember Bramlett contact the interested resident and encourage him/her to fill out a volunteer application to be considered at the next Council meeting.

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**NEW BUSINESS**

Information – Policy Proposals to the NC League of Municipalities (NCLM) are Now Being Accepted

Council received an email from the NCLM noting they are now accepting proposed legislative policy goals. The League submits these proposals to the Legislative Policy Committee for vetting through the lens of the Core Municipal Principles, and will move to the full membership for consideration. The Legislative Policy Committee is new and replaces the 4 Legislative Action Committees previously used for vetting. Proposals must be submitted by November 5<sup>th</sup>.

The Mayor noted that the City should consider requesting that NCLM advance a proposition that a quarter-cent local option sales tax be adopted for funds for road maintenance and repair.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, unanimously carried, Council approved moving forward a request that a quarter-cent local option sales tax be considered by NCLM for funds for road maintenance and repair.

The Mayor then asked if the City Manager would provide a Powell Bill update. City Manager Michael J. Ferris began his report by stating that there is a critical need in the City for funding for roads. The City of Albemarle has approximately 115 miles of local roads to maintain. For this fiscal year Powell Bill funding has been reduced more than the City anticipated. This year the City will receive

\$477,000, while we anticipated receiving \$505,000. A budget amendment ordinance will come in front of Council at the October 19<sup>th</sup> meeting to reduce the City's Powell Bill fund accordingly. It is important to note that in order to make up the continued shortfalls in this fund, the City needs to rely more heavily on property taxes for funding and this also impacts other City departments and services.

Councilmember Bramlett noted that per the Council action on the request for a quarter-cent local option sales tax, the City should specify that this revenue be in addition to current Powell Bill funding, not in replacement for other funding streams the City is already receiving from the state. Council agreed with him on that point.

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### COMMENTS

Councilmember Hughes:

- Since the Pfeiffer Health Sciences campus has opened up, has anyone in the City been in contact with students to provide safe escort services to their cars for evening classes? Police Chief David Dulin came in front of Council to respond. A flyer has been provided to pass out to those on campus with the police non-emergency line number on it to request an escort. Councilmember Bramlett recommended that the Chief reach out to Linda Diaz at Pfeiffer to discuss the matter further. The Mayor suggested that Pfeiffer look into installation of the blue emergency phone system surrounding campus. Councilmember Hughes requested that Chief Dulin report out any updates on this item at the next meeting.

Councilmember Aldridge:

- He asked Chief Dulin if exchange zone signage was installed yet at the new site. Chief Dulin replied that the exchange zone area will be behind APD headquarters and that APD is in the process of moving the site now to the new location.
- He proposed that Council consider moving the time of Council meetings from 7:00 p.m. on the first and third Mondays of the month to 6:30 p.m. The Mayor asked if this request was temporary or permanent, meaning that if permanent, it would change the summer Council meeting start time from 6:00 p.m. to 6:30 p.m. Councilmember Aldridge replied that he is considering the proposed change in start time of regular Council meetings a permanent one.

The Mayor polled other Councilmembers if they were in agreement with the proposal, then noted that in order to take formal Council action on this item, an ordinance would need to be considered at the October 19<sup>th</sup> meeting. He called for a motion for Council to approve an ordinance be presented to change the regular Council meeting start time from 7:00 p.m. to 6:30 p.m. at the October 19<sup>th</sup> meeting.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Bramlett, unanimously carried, Council approved the motion.

A follow up question was asked about the start time for the October 19<sup>th</sup> meeting. City Manager Michael J. Ferris advised Council that the City Council can adjourn the meeting tonight to 6:30 p.m. on October 19 if they would like to begin the new time then.

Mayor Pro Tem Hall:

- Re: the NCLM core principles/legislative agenda email: she has signed up for one of the online sessions.
- She requested that she be able to look at the scope of work or agreement between Uwharrie Marketing Association and the time period in which she will be engaged with the City.
- Re: Charters of Freedom update: she has been in contact with Jennifer from the Freedom Foundation regularly over the past few weeks. There will be a call tomorrow with her and other fundraising committee members to discuss recognition for donors. The Mayor added that he spoke to the general contractor for Foundation Forward responsible for installing the Charters of Freedom about installing lights inside of the two stands. LED lighting will be placed inside the stands. Council then discussed the location for the installation and its proximity to the tree which serves as the City's Christmas tree. It was suggested that Council ask the Tree Commission for their input on whether there would be any negative effect of the location of the installation and health of the tree. However Council still agreed that plans to start work on the site not be delayed.
- Re: Kellie Pickler signage: currently there are 2 signs – one at Courthouse Square and one in the fields by the ABC site. The signage by the ABC site is faded – what should be done about it?

Upon a motion by Councilmember Townsend, seconded by Councilmember Aldridge, unanimously carried, Council approved removing the sign by the ABC site.

- Re: Power Week event this coming Wednesday – is anyone on Council planning on going? No other member was planning to attend.
- She was happy that the City made the offer to staff to have Employee Appreciation Day as part of the October 2<sup>nd</sup> Food Truck Friday event.
- She reminded Council about the Historic Resources Commission guidelines and requested they review it before Council considers any near future downtown development activities.
- Re: City job openings – she first asked to confirm if the Planning Specialist position was being posted due to the loss of a current employee. Planning and Development Services Director Kevin Robinson confirmed that was the case. He also announced that the full time Code Enforcement Officer will start on October 12<sup>th</sup>. She then requested a Police and Fire staffing update.
  - Police Chief Dulin stated that with 4 officers in training until January, 1 certified officer starting work today (October 5<sup>th</sup>) and obtaining 1 conditional offer from another candidate this past Friday, Police staffing should be largely increased. There will be 1 retirement in November, but it is anticipated that there will be 4 more officer candidates going through the academy in February 2021.
  - Fire Chief Brewton reported via phone. As reported in the last Council meeting, 3 new firefighters started in late September. All three started on shift this week with a Sunday/Monday/Tuesday schedule. One person resigned on October 2<sup>nd</sup>, but 1 candidate has accepted an offer, therefore the AFD is fully staffed with 13 per shift for a total of 39 firefighters.

Councilmember Bramlett:

- He has been in contact with Pfeiffer students and they have pointed out the lack of student housing in Albemarle. However, he has relayed to students that there are multiple apartment complex developments that are underway or about to be underway. With the apartment development and the Alleyway Project he is excited about downtown Albemarle development prospects and hopes that everyone else is excited about this new growth in Albemarle.

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**CLOSED SESSION**

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

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**RETURN TO OPEN SESSION**

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hughes 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 and N.C.G.S. 143-318.11(a)(4) Economic Development.

No Council decisions or actions were taken as a result of the closed session.

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Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, unanimously carried, the meeting was adjourned to Monday, October 19, 2020 at 6:30 p.m. in City Council Chambers.