

REGULAR MEETING CITY COUNCIL

October 19, 2020

The City Council of the City of Albemarle met in a regular session on Monday, October 19, 2020 at 6:30 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.

SPECIAL PRESENTATION

Government Finance Officers Association (GFOA) Award for Excellence in Financial Reporting

The Mayor requested that Finance Director Colleen Conroy come forward to read the letter from the GFOA. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. According to the GFOA website, Albemarle is the only municipality in Stanly County to earn this designation, and it is our third consecutive year being designated. Ms. Conroy then presented the certificate to the Mayor. On behalf of the City Council, the Mayor thanked the Finance Department employees for all of their hard work and dedication.

Ms. Conroy noted that the City of Albemarle Finance Department would not have been able to achieve its success without the staff in the Finance Department and throughout the City departments. She recognized Assistant Finance Director Jacob Weavil for all of the work he does supporting and leading the department. Also present to be recognized was Linda Lewis, the City's Purchasing Coordinator. Ms. Conroy also thanked in turn each of her team who were not present tonight at the meeting:

- Richard Lanzillotti – Tax Collector;
- Billing representatives Candi Poole and Chase Russell;
- Melinda Harris – Payroll;
- Kim Speights – Accountant; and
- Tanner Denton and Luke Melton – Accounts Payable.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, unanimously carried, the minutes from the October 5th regular and closed meetings were approved as submitted.

AGENDA ADJUSTMENTS

The Mayor asked if there were any agenda adjustments. The following added agenda items were noted:

- Discussion of commercial signs at residences/review of Code of Ordinances (NOTE: this item was discussed in the Comments portion of the meeting); and
- Closed session pursuant to N.C.G.S. 143-318.11(a)(6) Personnel

Upon a motion by Councilmember Aldridge, seconded by Councilmember Whitley, unanimously carried, Council approved the agenda adjustments.

ADMINISTRATIVE REPORTS

Adam Kiker, LKC Engineering – To Discuss Sanitary Sewer Rehabilitation, Phase 3

Mr. Kiker discussed a potential change in the scope of Phase 3 gravity sewer rehabilitation to utilize more of the awarded project funds to address the East Albemarle outfall line.

In the fall of 2019, City Council approved a Clean Water State Revolving Loan funding application for the Phase 3 sanitary sewer rehabilitations project in the amount of \$6,156,000. Subsequently we removed the electrical work at the Wastewater Treatment Plant and the project cost was reduced to \$3,200,000. The City still has access to the full \$6,156,000 funding and we can add the next sewer rehabilitation phase, which is the East Albemarle outfall line (Phases 4 and 5). This would bring the total project amount to \$5,538,000 in comparison to the original scope of \$6,156,000, and also allows the City to address the last large sewer rehabilitation project now rather than through a future grant.

This proposal is in alignment with the long-term system improvement plan performed by Chambers Engineering. The Chambers Engineering plan was developed in 2009 and the phases of inflow and infiltration improvements (I&I) the City has undertaken over the last several years are in accordance with the plan.

Mr. Kiker and Council discussed the proposed change in the rehabilitation project and the special order of consent (SOC)'s potential impact on the project as a whole. Also discussed was the relative importance of the outfall failures as compared to the electrical upgrades from an engineering standpoint.

Mayor Pro Tem Hall introduced a motion to move forward with the Sanitary Sewer Rehabilitation Project Phases 3-5 as currently advised by LKC Engineering in its proposal to Council tonight, and increasing the project budget from \$3.2 to \$5.5 million as estimated by LKC Engineering and pre-approved by the financing agency. The motion was seconded by Councilmember Hughes.

The Mayor asked if there was any further discussion related to the motion.

Councilmember Bramlett inquired about whether there would be an additional tax burden on residents. The Mayor responded that financing for this project could change the water and sewer rates but not property taxes. City Manager Michael J. Ferris added that a 1% increase in water and sewer rates would create approximately \$100,000 in revenue for the Water and Sewer Fund. For the change in financing proposed for completing this rehabilitation project and he estimated it would be equivalent to a 3 cent rate hike in water and sewer rates. Mayor Pro Tem Hall asked whether this was already included in the new Capital Improvement Plan that Council will be reviewing next month. Mr. Ferris replied that the City will be meeting with First Tryon tomorrow about the Capital Improvement Plan.

Councilmember Townsend noted that maybe Council should not rush the decision making process on this proposal. He introduced a motion to table further discussion and Council action on this item to the November 2nd meeting to give city staff time to work with First Tryon and bring to Council answers on questions they have regarding the proposed change in financing for this project. The Mayor asked if this was a substitute motion to the motion Mayor Pro Tem Hall introduced earlier. Councilmember Townsend confirmed this was a substitute motion. The Mayor called for a second for Councilmember Townsend's motion. Councilmember Bramlett seconded the motion. Upon a vote all Council members voted for the motion.

After the motion was carried, Mayor Pro Tem Hall asked for clarification that actually there is no additional funds that Council needs to approve for this project in that it is already financed up to more than \$6 million currently. Mr. Ferris confirmed Mayor Pro Tem Hall's statement.

Fire Chief Pierre Brewton – Update on Process to Review Fire Response Outside the City

Limits

At a recent meeting, City Council asked that Chief Brewton look into the issues surrounding this topic. Although the matter is still being investigated, staff felt it was appropriate to provide an update at this time.

Chief Brewton came in front of Council to answer any questions they had. He is working with other emergency responder agencies in Stanly County to strengthen these agreements. This process provides for an opportunity for mutual aid and automatic aid issues to be reviewed and considered. There are three types of response among local fire jurisdictions: mutual aid, automatic aid, and plain sight. The first two types require an agreement be signed among the jurisdictions; the last type is for emergency situations where the municipal department witnesses an accident or comes upon an accident scene.

Councilmember Townsend stated that since he brought up this issue specifically in an earlier meeting, he wanted to weigh in on the response by Chief Brewton and City staff. He is satisfied that the issue is being addressed, which was his intention when initially broaching it.

Chief Brewton reported to Council that the current agreements among the various municipalities in Stanly County, and also with Stanly County, are vague. The query raised by Council will

now give Stanly County Fire and the municipalities the opportunity to meet to build up the agreements. However, he noted that this process will take some time.

Councilmember Lowder asked for a timeline for the agreements to be redone. Chief Brewton replied that Stanly County is charged with bringing the municipalities together and revamping the agreements, and therefore he does not know what timeline they have for completing this process.

Update on Charters of Freedom Project

An update on this Council coordinated project was requested for the agenda. Mayor Pro Tem Hall provided the report out to Council along with the Mayor. There was a Zoom conference call with some people in the county about dedicating the Charters of Freedom once it is constructed. The Mayor added that now the current timeline for breaking ground is the third week in November. Mayor Pro Tem Hall noted that there will be opportunities for city and county residents and businesses to provide in-kind donations. She was glad to hear that the Stanly Community College bricklaying program will be assisting in the construction effort.

Foundation Forward, the sponsoring nonprofit of the project, is looking for input from the city and county for a date in 2021 which is significant for the county. Both Mayor Pro Tem Hall and the Mayor reminded Council and the public that the Charters of Freedom is to be dedicated to the residents of Stanly County, and that the location for the installation happens to be Albemarle.

Mayor Pro Tem Hall closed the discussion by announcing that the next meeting is scheduled for November 10th as a Zoom conference call. If any Council member or member of the public is interested in joining, they should contact Jennifer McMillan at Foundation Forward.

Departmental Monthly Reports

The Mayor and Council received September 2020 monthly departmental reports prior to the meeting. The Mayor asked if any Council members had any questions or comments about the reports. Mayor Pro Tem Hall had some comments/questions.

She let Council know that as a result of trying to dye the water in the fountain yellow in Courthouse Square in September for Pediatric Cancer Awareness Month, it was confirmed that the fountain still is leaking due to cracks in it which need to be repaired.

On the HR monthly report Mayor Pro Tem Hall asked HR Director Dana Chaney to explain what voluntary turnover was, as well as the term "key benchmark." Ms. Chaney replied that voluntary turnover is when a City employee makes his/her own decision to leave City employment. "Key benchmark" is a standard across the HR industry and other municipalities.

Councilmember Hughes asked Ms. Chaney what the process was for HR when an applicant chooses to submit an application for a City of Albemarle position in terms of communication with a given applicant. Ms. Chaney replied that when an application is submitted, HR sends out a notification that the application was received. If an applicant is chosen to move further in the process,

HR will typically contact them via phone. Councilmember Hughes then asked if HR sends any communication to applicants who are not chosen for the position. Ms. Chaney responded that once the position is filled HR sends out a notification to all applicants that the position has been filled.

CONSENT AGENDA

The Mayor asked if Council wanted to move any items on the consent agenda.

Ordinance 20-27 – To Adjust the Start Time of Regular Meetings of the City Council

This ordinance was requested by Council at the October 5th meeting.

[Ordinance 20-27 – To Adjust the Start Time of Regular Meetings of the City Council]

Ordinance 20-28 – Budget Amendment to Reduce Powell Bill Funding

This amendment reduces the Powell Bill Fund budget for fiscal year 2020-2021 due to a decrease in State funding. The Powell Bill supports a portion of the maintenance and keep of the City's street system. With the reduction in State funding, it means that an increasing burden is being placed on City residents to maintain roads that are available and used by all and that support economic development opportunities for all. With recent decreases in Powell Bill funding, the City has made up the difference, which does place an even greater burden on the property tax rate, our primary source of General Fund revenue. This also means we have less tax revenue to then spend on other activities such as Police, Fire, Parks and Recreation, and our many support services.

[Ordinance 20-28 – Budget Amendment to Reduce Powell Bill Funding]

Consider Resolution for Legal Representation for 503 Old Charlotte Road

Per Council discussion on October 5th, the attached resolution was drafted by City Attorney Britt Burch for Council consideration for legal representation for 503 Old Charlotte Road.

[Resolution 20-14 – Legal Representation for 503 Old Charlotte Road]

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

- Ordinance 20-27 authorizing a change in meeting start time from 7:00 p.m. to 6:30 p.m. for regular Council meetings;
- Ordinance 20-28 amending the FY 2020-21 budget to reduce the Powell Bill Fund; and
- Resolution 20-14 identifying legal representation for the City for any legal matters stemming from the 503 Old Charlotte Road nuisance property.

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.

Council considered an application from Mr. Scott Patrick for one of the vacant seats.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, unanimously carried, Council approved Mr. Patrick for a term on the Historic Resources Commission.

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.

Council considered the application of Ms. Tiffany Dahle.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Lowder, unanimously carried, Council approved Ms. Dahle for the Albemarle resident/citizen seat on the Stanly County Convention & Visitor's Bureau.

NEW BUSINESS

Introduction of Keith Tunnell – City of Albemarle Director of Economic Development

City Manager Michael Ferris made a short statement of introduction. Mr. Tunnell's first day with the City of Albemarle was October 12th. He is glad to have Mr. Tunnell aboard. The hiring of Mr. Tunnell was the result of an extensive recruitment process where applicants throughout the Eastern US applied. Mr. Tunnell has significant experience in economic development in positions he has held in South Carolina, and as a result of that work also has knowledge of the economic development/regional growth environment in the Charlotte region. It should be noted that Mr. Tunnell began working on behalf of the City of Albemarle prior to his official start date.

Mr. Tunnell came in front of Council to introduce himself. He stated that it is a pleasure to be here, and is excited about downtown opportunities here. His first priority is to make the Albemarle Business Center site operational in order to recruit new business, and then he plans to focus on business

retention and expansion. There is opportunity to cross-train other City staff to promote economic development for the City of Albemarle. His method for accomplishing his goals will be assertive and inclusive. He is honored to have Council and upper City administration's trust placed in him.

Council warmly welcomed Mr. Tunnell.

Request for Fire Apparatus Records

Councilmember Hughes requested this item be placed on the agenda for discussion. Records provided in the meeting packet are for firefighting apparatus, not daily use vehicles. In addition to the provided records, there is routine maintenance and service that is performed by Fire personnel.

Chief Brewton came in front of Council to answer questions. Councilmember Hughes asked the following questions to which the Chief replied as follows:

- If an engine is out of service what does that do for the Chief and personnel re: impact? There is quality backup equipment for that out of service item. The department plans ahead for equipment to go out of service.
- How long is the normal timeline to purchase apparatus/equipment? Between 4½ and 6 months.
- Even with the engine out of service at Crook Motor Company, is everything in working order? The engine has now been returned and is back in service.

Discussion of Halloween Night

Mayor Pro Tem Hall requested this item be placed on the agenda for discussion. Since the last Council meeting, Stanly County Schools has made the decision to implement all remote instruction through the end of the month or into the early part of November due to COVID19 cases increasing in the county. Council should be responsible about messaging out safe Halloween activities for residents and their children. She was glad to see that Parks and Recreation Director Lisa Kiser put up the CDC and NC DHHS guidelines for trick or treating on the City's social media pages quickly after the last Council meeting. What else should the City be doing to message out and promote safe Halloween activities?

Council briefly discussed if there were other Halloween-related activities going on beyond the City's remote/virtual events and the Pee Dee Avenue street closure on Halloween night. Council was not aware of any other large events scheduled to take place beyond drive thru trunk or treat events.

All the City can do is put information out into the community and urge residents to be cautious.

Information – Grant Awarded to Parks and Recreation for Remote Learning Center

Parks & Recreation sought and received a grant award of \$31,220.00 for supplies and equipment for the Remote Learning Center at the EE Waddell Community Center. This grant is part of

the CARES Act funding that North Carolina received and is being awarded through the North Carolina Alliance of YMCAs.

Parks and Recreation Director Lisa Kiser came in front of Council to discuss the grant and take any questions from Council. The grant is associated with CARES Act funding through the YMCA Alliance of North Carolina, and will go towards the purchase of furniture, Chromebooks for kids in the program for remote learning, and food. Currently there are 21 children in the program: 11 elementary school-aged, and 10 middle schoolers.

COMMENTS

City Manager Michael J. Ferris:

- A reminder to Council that the Essentials of Municipal Government online courses offered through UNC's School of Government are scheduled for December 15th and 16th this year. This is a course for newly elected/reelected local government officials, and includes the required state ethics in government training. Please contact him directly if any member would like City staff to register them for this course.

Councilmember Hughes:

- Re: safety efforts for Pfeiffer Health and Sciences students during evening hours - is there an update available? Chief Dulin replied that he finally spoke with the Pfeiffer contact Councilmember Bramlett recommended, and he is scheduled now to speak with students every August and January prior to the start of every new academic semester. Will blue light phones be installed? Per the Mayor that is a decision Pfeiffer needs to make, and may not be needed anymore due to the prevalence of personal cell phones being used now.

Councilmember Aldridge:

- He received a thank you card from some of the residents in the College Park Subdivision about the horse therapy program property issue. He read the thank you note and stated that it was signed by Pam and Michael Lambert.

Councilmember Townsend:

- Re: leaf collection and angled parking near Pfeiffer – he noted that some residents are blowing leaves into a few angled parking spots thus making them unusable. It may not be a problem now but could become one. The Mayor noted that the City has had to notify a few residents of this in recent seasons because some have blown leaves halfway into the street.

Councilmember Lowder:

- Re: the fire response item on today's agenda – should this issue be discussed with the County Manager? The City might need to pay. The Mayor responded by stating that the City pays 3 different local volunteer fire departments and has mutual aid agreements with them. Chief Brewton added that he has brought this up with the county fire chief's association, and so all localities and the county are aware.

Mayor Pro Tem Hall:

- Re: the Code of Ordinances and customary home occupation – per a resident who inquired, she wanted to discuss why businesses run in residential zoning districts cannot put up commercial signage on their property but there are plenty of political campaign signs up. Planning and Development Services Director Kevin Robinson distributed hard copies of the named Code of Ordinances section to Council and provided a response that commercial signage on residential property cannot be done because it is stipulated in the Code of Ordinances. Now with more people conducting business in their homes due to the pandemic, that could become a potential conundrum. She wanted this to be discussed in meeting to get word out to the public.
- She took the UNC School of Government's online course last week on fiduciary responsibilities for elected officials, and will pass along the PowerPoint presentation to the Clerk to share with Council.
- A "shout out" went to Public Works Director Ross Holshouser who quickly took care of an email she forwarded from a resident who inquired about road improvements on her street.
- She attended one of the NCLM virtual conferences to provide input on desired legislative goals for the General Assembly, and noted the City's request to consider a quarter cent tax submitted by the City Manager on transportation in order to pay for road maintenance.
- There was Public Housing fire recently – she wanted to make sure the public is aware of it.
- She asked for an update on EE Waddell Center projects. The HVAC project is complete per the Parks and Recreation monthly report, but she noted that window painting was still in progress. Assistant City Manager Nyki Hardy and Parks and Recreation Director Lisa Kiser replied that the painting project is ongoing due to staffing issues, and that Councilmember Townsend has been periodically updated on progress on projects.
- She inquired if the City knew if the AutoZone drainage pipe replacement has addressed the flooding issue in that area. Per City Manager Michael J. Ferris it seems fixed, although there has not been a heavy rain to confirm it. However, there was back up onto Public Housing property that no longer is there.
- She asked the City Manager to announce the cumulative debris removal that Public Utilities crews have tallied since this summer for the public to be aware. He replied that 90 tons of debris have been removed from right of ways around waterways in the city.

Councilmember Bramlett:

- He announced that the Pfeiffer Board of Trustees met in Albemarle for the first time ever on October 9th. That, coupled with the real estate market building up locally, gives him hope that this is a harbinger of things to come for the City of Albemarle.

CLOSED SESSION

Upon a motion by Councilmember Aldridge, seconded by Councilmember Lowder, unanimously carried, Council approved moving into closed session pursuant to 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 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)(5) Real Estate and N.C.G.S. 143-318.11(a)(6) Personnel.

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

Upon a motion by Councilmember Hughes, seconded by Councilmember Whitley, unanimously carried, the meeting was adjourned to Monday, November 2, 2020 at 6:30 p.m. in City Council Chambers.