

REGULAR MEETING CITY COUNCIL
May 21, 2012

The City Council of the City of Albemarle met in a regular session on Monday, May 21, 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.

Mayor Whitley called the meeting to order.

The Mayor and City Council acknowledged the recognition of the Albemarle Fire Department for winning the Liftmaster Skills Competition at the Charlotte Motor Speedway. Captain Brad Jenkins, Engineers Mike Hinson, Rob Milano, and Firefighter Eric Rummage comprised this team and they were coached by Battalion Chief Tony Russell.

Upon a motion by Councilmember Underwood, seconded by Councilmember Hall and unanimously carried, the minutes of the May 7 regular session minutes was approved as submitted and May 8 adjourned session and May 15 adjourned session minutes were approved as amended.

A public hearing was held to consider approval of the proposed FY 2012-2013 budget.

No one spoke at the public hearing, and Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, the public hearing was closed.

Upon a motion by Councilmember Neel, seconded by Councilmember Hall, and unanimously carried, an Ordinance entitled (Ordinance 12-19) “2012-2013 BUDGET ORDINANCE FOR THE CITY OF ALBEMARLE, NORTH CAROLINA” passed first reading as amended.

Upon a motion by Councilmember Hall, seconded by Councilmember Alexander and unanimously carried, the City Council approved an agenda adjustment to swear-in five new police officers.

The Mayor swore-in five new officers of the Police Department as follows:

Darrin Chanler Poplin
McKenzie Kathleen Hathcock
Mark Aaron McIntyre
David Grant Harrington (previously sworn in)
Jeremy Brent Cleaver
Jonathan Hunter Lowder

Also, the officers stated their Oath of Honor directed by Police Chief Halliburton. Each new officer received their badge and were pinned by a member of their family.

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

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

(Ordinance 12-16. To remove or demolish the property at 412 Colston Street.)

(Ordinance 12-18. To amend the Section 8 Public Housing for housing assistance payments (HAP.)

Councilmember Holcomb moved to pass Ordinance 12-17 - To establish the hour of 5:30 pm as the time of the regular Council meetings. Councilmember Alexander seconded the motion. Voting for the motion were Councilmembers Alexander, Holcomb, Michael, Neel, Townsend and Underwood. Voting against the motion was Councilmember Hall. The motion carried and the following ordinance passed second reading and was duly adopted:

(Ordinance 12-17. To establish the hour of 5:30 pm as the time of the regular Council meetings.)

Upon a motion by Councilmember Hall, seconded by Councilmember Michael and unanimously carried, the following Resolution was duly adopted:

(Resolution 12-15. To endorse the NC Joint Legislative Transportation Oversight Committee (JLTOC).

Councilmember Hall asked that this resolution be faxed to Senator Purcell and Representative Justin Burr on Tuesday, May 22.

Upon a motion by Councilmember Michael, seconded by Councilmember Townsend and unanimously carried, the following Resolution was duly adopted:

(Resolution 12-16. To establish street assessment rates for FY 2012/2013.)

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall, and unanimously carried, an Ordinance entitled (Ordinance 12-20) "AN ORDINANCE TO AMEND FY 2011-2012 BUDGET." passed first reading.

The Mayor and City considered the update on pole attachment negotiations with Windstream. Council received a memo from Assistant City Manager Michael Ferris regarding the rates and retro payment from Windstream to the City.

Mr. Ferris came forward and stated a new pole attachment agreement has been completed with Windstream. He stated that the City is entitled to receive payments based on the new rates going back to the moment when the City put Windstream on notice with its intentions to negotiate a new agreement and fee. The City has received one full year of payments at the old rate totaling \$6,560.00. The total due the City under the new agreement is \$27,470.00. Per the terms of the new agreement, the City has sent a retroactive bill for one full year difference between what they paid at the old rate and the negotiated new rate totaling \$20,910.00. The City will also receive annual payments from Windstream based on the terms of the new contract.

Mr. Ferris thanked Assistant Director of Public Utilities Judy Redwine for her participation in the project. He answered any questions that Council had.

The Mayor and City Council considered attendance at the Stanly County Council of Governments meeting which will be held in Locust on Tuesday, May 29 at 6:30 pm. This meeting will be held outside near the Locust Town Hall.

Mayor Whitley and all Councilmembers affirmed their attendance.

The Mayor and City Council considered attendance at the ADDC Volunteer Appreciation Dinner. This event will be on Tuesday, June 19 at 6 pm at Market Station. In his agenda notes the City Manager encouraged their attendance if their schedules permit to join the ADDC Board of Directors in thanking the volunteers who contribute so much to our downtown revitalization efforts.

Mayor Whitley and Councilmembers Alexander, Hall, Holcomb, Michael, Neel and Underwood affirmed their attendance.

The Mayor and City Council received information on the City of Albemarle Blood Drive. This event will be on Wednesday, May 30 from 10 am to 2 pm at Fire Station 1/East Community Police Office.

The Mayor and City Council were reminded that City Offices will be closed on Monday, May 28 in observance of Memorial Day.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the Mayor and City Council adjourned to a closed session pursuant to NCGS 143-318.11(a) 3,5 to consult with the City Attorney and discuss real estate matters.

Upon a motion by Councilmember Alexander, seconded by Councilmember Underwood and unanimously carried, the Mayor and City Council reconvened to open session. Mayor Whitley announced that a closed session was held pursuant to NCGS 143-318.11 (a) 3,5 to consult with the City Attorney and discuss real estate matters and there was nothing to report at this time.

Police Chief Halliburton came before Council and stated that the City Police Department now has only one canine and it has medical problems and we may have to retire it. We are looking at the cost to replace the canine and the prices are up to \$12,500-\$15,000. There is a company based out of California with facilities all over the world where we can get a canine for around \$9,500. For this price, we would also receive a five-year health warranty guaranteed. The company is trying to establish a business here in NC. The company brought 3 of their canines to us that were only three weeks from completing their training.

Chief Halliburton asked that Council consider doing business with this company. The company will continue doing 24 hrs of training for the canine over a certain period of time. This is a great opportunity at a good price and can be purchased using unappropriated drug seizure funds.

Upon further discussion, Chief Halliburton stated that the canine they purchase would be a German Shepherd or a Belgian Malinois. The Chief answered any questions that Council had.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood, and unanimously carried, the City Council approved the purchase of a canine for the Police Department from a company based in California in the amount of \$9,500.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Michael, and unanimously carried, the City Council adjourned to Monday, June 4 at 5:30 pm at City Hall.