

REGULAR MEETING CITY COUNCIL

February 15, 2021

The City Council of the City of Albemarle met in a regular session on Monday, February 15, 2021 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, Martha E. Hughes, Shirley D. Lowder, Dexter Townsend, Chris Whitley, and Benton Dry.

Mayor Michael called the meeting to order.

SPECIAL PRESENTATIONS

Presentation of a City of Albemarle Retirement Certificate – George Frazee, 25.58 Years of Service

The Mayor presented Mr. Frazee a plaque in gratitude for his over 25 years of service in the Police Department. Mr. Frazee retired on December 1, 2020.

Council and the Mayor thanked him for his service.

Presentation of a City of Albemarle Retirement Certificate – Jerry Efird, 31.42 Years of Service

The Mayor presented Mr. Efird a plaque in gratitude for his over 31 years of service in the Public Utilities Department. Mr. Efird retired on January 1, 2021.

Council and the Mayor thanked him for his service.

Presentation of a City of Albemarle Retirement Certificate – Billy Blalock, 30.24 Years of Service

The Mayor presented Mr. Blalock a plaque in gratitude for his more than 30 years of service in the Public Works Department. Mr. Blalock retired on February 1, 2021.

Council and the Mayor thanked him for his service.

Upon a motion by Councilmember Townsend, seconded by Councilmember Lowder, unanimously carried, the minutes from the February 1st regular meeting minutes as submitted and February 1st closed meeting minutes as corrected were approved.

AGENDA ADJUSTMENTS

The Mayor noted the following agenda adjustments:

1. Move the presentation on Selection of Engineering Firm for Stormwater Master Plan to the second item after the Stanly County Property Tax Revaluation item under Administrative Reports;
2. Addition of consideration of the 2021 Martin Starnes & Associates Financial Audit Contract and Engagement Letter as part of the Consent Agenda; and
3. Move Introduction of New Planning and Development Services Staff to after the Litter Control Partnership item under Administrative Reports.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, unanimously carried, Council approved the agenda adjustments.

ADMINISTRATIVE REPORTS

Mr. Clinton Swaringen, Stanly County Tax Administrator – To Provide an Update on the Current Property Tax Revaluation Process

Mr. Swaringen and Mr. Charles Johnson from the Stanly County Tax Administration office came in front of Council to provide a verbal report on the county tax revaluation process. Mr. Swaringen began the report with an overview of the tax cycle and how property taxes are revalued. By state law, counties are to undertake property tax revaluations every 8 years, but Stanly County has been operating on a 4-year cycle for several years. Since the last property tax revaluation was in 2017 it is due again this year. Why should property tax revaluation be done? For several reasons, including: it is required by law; it provides a way to create an equitable tax base; and dynamics such as the housing market change over time.

The Tax Administration office manages the property tax revaluation process by assessing properties at the current fair market value as collected through sales information from multiple listings, excise stamps on deeds, and letters to property owners. The office also does comparative research by neighborhood or immediate area properties. An increase in growth of an area/neighborhood impacts tax values, as does aging housing with little or no growth.

Mr. Swaringen noted that it is the property owner's responsibility to check his/her tax revaluation and approach the County if he/she believes the assessment is not accurate. He reminded the public that the property's value multiplied by the municipal tax rate will equal their property tax owed. Property taxes are the primary source of revenue for municipalities across the state.

Mr. Johnson summarized the appeals process. Property tax notices are sent mid-to-late March, and the appeals process begins once municipal taxes are set, which typically is in the month of

June. He noted that the burden of proving that the revaluation the County set is inaccurate lies with each property owner, and encouraged anyone who wishes to appeal to provide specific information to their office, including photos, comparative sales information, etc.

If this initial process does not satisfy the property owner then he/she can appeal to the County Board of Equalization and Review, which is set up by the County Board of Commissioners. The convening of that Board will be posted in the Stanly News and Press. A final appeal can be made to the NC Property Tax Commission in Raleigh if the property owner feels that he/she has not been able to resolve the dispute on the county level.

Mr. Swaringen and Mr. Johnson took questions from Council. When did Stanly County adopt a 4-year property tax cycle? In 2001. If the Tax Administration office takes a streetview photo of a property, in what timeframe are they taken? Over a 24-month period preceding the tax revaluation.

Does the County know if there was a decrease in the County collection rate from last fiscal year? It went down very slightly from 97.49% to 97.32%.

What is the overall time period for an appeal process? Thirty (30) days from receipt of notice. Would that then be 30 days from mid-to-late March? Actually the time period is a little longer than that, but a homeowner can skip to the County Board of Equalization and Review for an appeal. That Board usually convenes in May or June.

Since the property tax revaluation impacts municipal revenue, what is the time period when cities and towns receive the tax information from the County? Typically that information is provided in April.

Council thanked Mr. Swaringen and Mr. Johnson for their presentation.

Presentation on Selection of Engineering Firm for Stormwater Master Plan

On June 15, 2020 City Council took action authorizing City staff to work on a multi-year phased effort to address storm water issues. A storm water management project team was developed to begin planning. An RFQ for a storm water engineering firm was issued. Eight firms responded and through a selection and vetting process implemented by the project team, WK Dickson was identified as the top firm. Staff's recommendation is to approve entering into a multi-year contract with WK Dickson to develop a storm water plan and program.

Public Works Department Director Ross Holshouser introduced Mr. Tom Murray with WK Dickson and Mr. Keith Redling from Raftelis Financial Services, then named the internal stormwater management project team consisting of Assistant City Manager Nyki Hardy, City Attorney Britt Burch, Parks and Recreation Department Director Lisa Kiser, Water and Sewer Systems Division Superintendent Bryan Hinson, and Planning and Development Services Director Kevin Robinson.

Mr. Holshouser provided a presentation to serve as a recap, followed by a presentation from WK Dickson and Raftelis on addressing storm water needs and an overview of the project plan for Albemarle's storm water plan and program development.

Mr. Murray began by introducing the firm, its services, and experience with stormwater management consultation for municipalities around the state. He then explained why it is important to develop a stormwater program, as well as the state's MS4 designation for stormwater management and what that means for a municipality which receives that designation.

Mr. Murray then outlined the various phases the firm would recommend for the City to build its stormwater management program, namely: community evaluation, systematic evaluation, a utility study, and a funding evaluation. He presented a potential timeline with key Council decisions/milestones from 2021 through 2023 should Council authorize staff to draft a contract with WK Dickson to develop the stormwater management program. Mr. Murray closed his presentation by noting that outreach to the public is important when developing a stormwater management program, and keeping residents informed and engaged through discussions is key.

Mr. Murray and Mr. Redling took questions from Council including:

- Are there contract specifications (specs) for the program available, and what is the timeline for implementation given that the current fiscal year is more than half over? Mr. Holshouser replied that there are no specs but there will be a phased approach to the program as outlined in the WK Dickson presentation. In addition, Mr. Holshouser explained that some items/phases could be active before the end of the current fiscal year, with others occurring in FY22, per the timeline WK Dickson provided.
- Will funds for a stormwater management program be raised like a tax? Mr. Redling from Raftelis replied that the funding of this type of program comes from a fee structure, like water and sewer. The fee would be variable based on the characteristics of a property and run-off rates. Mayor Pro Tem Hall noted concern over the fee structure concept, considering many residents have come to Council about water run-off as part of their property flooding issues which were created independent of their property features, such as upstream effects. Mr. Redling replied that the fee structure will be determined by the systematic evaluation which looks at how stream and creek systems outside of Albemarle impact Albemarle properties.
- In WK Dickson's presentation showing other municipalities/counties they have worked with Creedmoor and Butner are smaller in population, but are there municipalities that are closer in square footage to Albemarle where WK Dickson has worked? Mr. Murray replied that Kernersville, Mooresville, and Elizabeth City would be comparable in that respect.
- Mr. Holshouser commented that the stream and creek clean ups in 2020 were handled by his staff, Public Utilities staff, and Parks and Recreation staff. However this takes away from these departments performing other services. There is no dedicated staffing currently for stormwater management.
- Councilmember Dry commented that the flooding problem is more extensive than the City's efforts to clean up stream and creeks. How would the stormwater management plan manage ongoing issues such as creek and stream clean up? Mr. Murray replied that operation and maintenance (O&M) efforts could be planned by proactively using the fees for this service. However there are some flooding issues that will not be solved by maintenance alone, like floodplain improvements.

- Councilmember Whitley stated that it is Albemarle property infrastructure rather than City right of ways is a source of the issue here – how could the City manage flooding issues on private property? Mr. Murray responded that the City would only be able to address that if it developed a policy to have easements on new developments as a starting point. Another option would be to source any flooding issues which begin on City right of ways or public land and drain onto private property as “public water” and structure the stormwater fees to be placed into O&M in order to do work on private property. Mr. Whitley replied that the City has many old structures and property so how would the City handle this issue? Mr. Murray replied that the City would map the waterway systems and perform watershed studies. Also cost sharing with property owners could be another option for the City to consider.
- The Mayor asked staff what would they want Council to act upon tonight. City Manager Michael J. Ferris replied that Council could approve staff coming back with a drafted contract to retain WK Dickson to help build the stormwater management plan with a funding breakdown identified. For instance Public Works funds and the fund balance could be used to start the project.
- Mayor Pro Tem Hall noted that when the City discussed stormwater and flooding issues in 2020 there was no discussion of Albemarle obtaining the MS4 status – is this a possibility now? Mr. Murray replied that it depends on the result of the 2020 Census which hasn’t been computed for localities yet. The state would look at population density, and possibly impaired waters in Albemarle when assessing whether the City would get the MS4 designation. Per WK Dickson it is likely that Albemarle could receive the MS4 designation.
- The Mayor asked whether most cities are assessing stormwater fees based on amount of impervious surface. Mr. Redling replied that recent legislative changes did not cause localities to change their fee structure. The Mayor then asked what the range of stormwater fees was for the cities with which they have worked. Mr. Redling stated that the fee range is between \$2-\$3 a month to \$12 a month per property. Fees for larger properties, such as a business with more square footage of property, would be more than a homeowner’s.
- Council will not be making a decision on committing to funding tonight – is that correct? Yes that is correct. Assistant City Manager Nyki Hardy added that staff has already developed a scope of work and fee structure for a contract with WK Dickson, and that Council could approve staff moving forward with developing a contract to come back to Council for review, as the City Manager indicated.

Upon a motion by Councilmember Whitley, seconded by Councilmember Aldridge, unanimously carried, Council authorized staff to draw up a contract with WK Dickson to develop a stormwater management plan and program geared to Albemarle for Council review.

Litter Control Partnership – City of Albemarle and Keep Stanly Beautiful

Mr. Lee Snuggs, Executive Director of Keep Stanly Beautiful (KSB), along with members Tom Medlin and Pat Bramlett, and Public Works Director Ross Holshouser and Assistant City Manager

Nyki Hardy presented information about the litter issue and how the City/KSB partnership can move forward to address it in Albemarle.

Litter control is a major issue that impacts many communities. Efforts have been made to mitigate the litter issues; however, it remains a challenge. On Tuesday February 9th, City Staff in Public Works, City Administration, Police Department, and Parks and Recreation held a conference call with KSB. The group discussed the litter issue and how we can collaborate to better leverage the resources of each organization. The group agreed upon a framework for a plan, including what aspects of the effort each entity could contribute.

Mr. Snuggs remarked that the problem is getting worse and that KSB can't do it alone. NCDOT is not in a position to help, either.

One of the needs identified is someone to drive litter control efforts so that we can sustain this collaboration. There was discussion of contracting with an individual on a part-time basis, to drive outreach and compliance with the adopt-a-street program, and coordination of year-round community clean-up efforts. Funding to contract with someone is a challenge and grant funding is an option that needs to be explored.

Mr. Holshouser noted that the group outlined a phased approach which includes:

- Public information dissemination on "clean community" – This is already beginning to occur. Public Works Assistant Director Renee Keziah has created social media posts which are being posted. Bill stuffers are also being made.
- Adopt-a-street program – This program was initiated years ago with a series of local groups, but as time went on it became laborious to keep up with changing contacts at these organizations to remind them of their pickup cycles/obligations. This time the City will push to maintain these contacts and timelines for pickup along the adopted routes/areas.
- Community outreach through community events – Mr. Holshouser requested that Council, staff, and those in the public all work together to make these events happen. Schools, community groups, religious groups and others could sponsor a trash pickup day for the City.

Councilmember Whitley asked who coordinates these efforts in other local communities. Mr. Holshouser replied that volunteer groups drive this in other localities, where local governments assist by offering programs, tools, and disposal locations. Mr. Holshouser noted that Public Works has a vacuum truck which runs regularly throughout the City for trash pickup, but it needed to be serviced in 2020 and was still out of commission. The vacuum truck is one of the pieces of equipment the City uses to collect roadside litter.

A short video was played showing trash build up along the bridge on Highway 73 near City Lake Park.

Mr. Tom Medlin, one of the members of KSB, provided some remarks to Council. He has been picking up trash for a long time, and he feels like he's the only one on his street doing it. He feels like people have gotten complacent about having garbage lying around. He suggested the City could help by placing signage up about warning people about being fined for littering or that the area is under

surveillance with cameras. He hopes that this KSB-City partnership can be a City-wide program that initiates pride in the City and inspires people to be responsible.

The Mayor asked if Public Works could put a message out on social media about the “swat-a-litterbug” program. What is the program? It is a way for residents to call in “tips” about litterers by sending a litterer’s license plate number to the police.

Councilmember Aldridge thanked KSB for their efforts. The timing is good for this discussion since he has noticed an increase in trash around the City and there have been more complaints about it recently. He also noted along Stony Gap Road near the landfill there is much more trash out that way and wondered if trucks not securing their loads are inadvertently contributing to the problem there. Mr. Holshouser replied that trucks should be placing tarp over their loads.

Councilmember Dry wondered if the City is holding litterers responsible. Police Chief David Dulin came in front of Council to respond. If a person is caught littering there is a fine between \$250-\$1,000 that can be levied. Are there any signs? There are signs that the state has put up.

Mr. Medlin noted that the City and KSB need to get younger people involved. Ms. Pat Bramlett came in front of Council and noted that KSB needs help. Littering and trash impacts the City, its businesses, as well as people wanting to move here.

Councilmember Lowder asked if the KSB members would introduce themselves. Mr. Snuggs, Mr. Medlin, and Ms. Bramlett all introduced themselves to Council.

Councilmember Townsend asked if he could be notified of the next City-KSB meeting – he would like to join them.

Council thanked the members of Keep Stanly Beautiful for co-presenting.

Introduction of New Planning and Development Services Staff: Planning Specialist and Chief Code Enforcement Officer

Planning and Development Services Director Kevin Robinson introduced Ms. Ashlie Tolliver-Jones and Mr. Antonio (Tony) Evans to Council. They started with the Planning Department in late November 2020. Ms. Jones is from Texas where she worked in positions in planning departments. She is supporting the Historic Resources Commission and the Planning and Zoning Board, as well as correspondence and signage.

Mr. Evans previously spent over 20 years in law enforcement before shifting to a code enforcement officer position in Fayetteville, where he worked for 3 years before being hired by the City of Albemarle.

Council gave Ms. Jones and Mr. Evans a warm welcome.

Presentation of Current Minimum Housing and Commercial Maintenance Cases

Council received a list of properties that met minimum housing and commercial maintenance code requirements prior to the meeting. Planning and Development Services Director Kevin Robinson and Chief Code Enforcement Officer Tony Evans presented current minimum housing and commercial maintenance codes the City is working to abate as well as discuss strategies for more proactive enforcement in the future. Mr. Robinson began by noting that an updated list was placed into the online agenda system earlier that afternoon, which was displayed in Chambers.

There are 40 active cases of both residential and commercial structures. The list projected in front of Council breaks down the properties by those the department is working with the owners to try to fix, those which should be demolished, and those trailers in the Green Acres Mobile Home lot.

On the demolition side, due to COVID and Fire Department funding challenges, there have not been any burns in almost a year. However, the title searches have been completed clearing the way for some of the structures to be demolished soon, such as 1404 Pennington Road and 1138 Gibson Street on the residential side and 2403 Badin Street and 901 Concord Street on the commercial side. The Mayor asked if the City still allows fire training via Stanly Community College on demolished structures. Mr. Robinson said that Planning or Fire will check into this and come back to Council.

Councilmember Whitley asked for clarification on the note on the list "abatement following sale." Mr. Robinson replied that the structure is in the process of being sold, and the new owner wants to try to rehabilitate the structure.

Councilmember Aldridge asked about the property on North Third Street. Mr. Robinson and City Attorney Britt Burch responded by stating that it is a leased property owned by Mr. Richard Huneycutt and that there has been a series of efforts made on the City side to clean up the property. The City, working with Mr. Huneycutt, has been trying to evict the tenant, but there still is a moratorium on evictions due to COVID, so the case is in limbo currently.

Mr. Robinson went through the list with Council, first focusing on the "fix up" properties. He then stated that the plan on this list is to continue with the demolition list this fiscal year and early the next fiscal year.

Mr. Robinson asked Council if they wanted Planning to focus on a particular approach to these properties. Should Planning focus on the downtown, certain neighborhoods, or address common offenders? The Mayor replied that Council should defer to the department's decision, but should prioritize the worst cases first and then progress from there. Other Council members agreed.

Mayor Pro Tem Hall stated that she would like to see some of the properties finalized since they have been on the list for a while now. Mr. Robinson responded by stating that some of the long-standing properties have been addressed by Mr. Evans since he came on staff, where he worked with the owners to abate the properties and so were subsequently taken off the list.

Councilmember Aldridge stated that properties in high-traffic areas should take precedence over those in low traffic areas.

Councilmember Aldridge asked about the status of the property on 310 Second Avenue. Mr. Robinson replied that Planning would look into that property.

Council thanked Mr. Robinson and Mr. Evans for their presentation.

Departmental Monthly Reports

The Mayor and Council received January 2021 monthly departmental reports prior to the meeting. The Mayor asked if any Council members had and questions or comments about the reports.

Mayor Pro Tem Hall provided a few comments. For all reports she suggested that for personnel training, specific dates on when personnel attended would be helpful. She commended employees for doing a great job every day, but requested that they continue to wear masks as much as possible. She noted that there a many positions open currently, but it looks like they are in the process of being filled. She gave an “attaboy” to Public Works staff and Director Ross Holshouser for working with other departments on projects, such as the Alleyway Project.

CONSENT AGENDA

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

Request for the Extension of 570’ of Sewer Main on Kingsley Drive

A memorandum outlining this request was provided to Council prior to the meeting. A request was made to extend 570' of sewer main on Kingsley Drive through the City's assessment process. The property is just outside the City limits, and the owner is willing to pay the full amount equal to an assessment fee up front to make the project happen.

Ordinance 21-06 – Budget Amendments

Council received a memorandum regarding recommended projects prior to the meeting. Only the safety and security improvements in the City Hall Collections and Customer Service lobby require a budget amendment. The other projects can be accomplished through City Manager approved line item transfers.

[Ordinance 21-06 – Budget Amendments]

Donation of Poles to Stanly Community College

Stanly Community College (SCC) has requested that the City donate (3) 40' poles and (2) 45' poles to the Electric Line Technician Program. Electric Superintendent Dennis Curlee states that the

City has these materials available. The City could also set the poles for SCC and this would take 1-2 hours to complete. Over the years the City has donated supplies and materials to this program and others at SCC and provided construction services, all to assist multiple programs.

2021 Martin Starnes & Associates City Audit Contract and Letter of Engagement

This is the last year of the contract for Martin Starnes & Associates to conduct the financial audit of the City of Albemarle. The contract amount is \$43, 775.

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

- Extend 570' of sewer main on Kingsley Drive through the City's assessment process;
- Ordinance 21-06 for a budget amendment for safety and security improvements in the City Hall Collections and Customer Service lobby;
- Donation of utility poles to Stanly Community College; and
- The Martin Starnes & Associates financial audit contract for \$43,775.

COMMENTS

The Mayor began by announcing that this is the last Council meeting Finance Director Colleen Conroy will be attending, as she is retiring on February 26th. He thanked her for all that she has done, and wished her a long and healthy retirement.

Councilmember Aldridge:

- He thanked everyone who has cleaned trash up.
- He reminded the public that it is state law to have your headlights on when it rains.

City Manager Michael J. Ferris:

- He asked Ms. Conroy to come forward and say a few words on the occasion of her retirement, even though she has not had her retirement party yet.

Ms. Conroy came in front of Council. She began by stating that when she came on staff Mayor Michael was Major Michael in the Police Department. She noted that she has been here with the City of Albemarle for a long time, and recounted how many colleagues she has seen in various positions over the years. She has appreciated all of the opportunities given to her over the years. She thinks the City of Albemarle is great and that Council has done a wonderful job. At the conclusion of her remarks, all assembled gave her a standing ovation.

Mayor Pro Tem Hall:

- She reminded Council that there is a NCLM Zoom session on public health coming up later in the month. She has registered for it and suggested that other Council members do the same.
- She saw in the news that there are some businesses not following the mask mandate per the Executive Order still in place requiring it. Police Chief Dulin came in front of Council to update Council on the restaurant highlighted in the news in the last few days. Tomorrow morning there is a scheduled meeting with the County Health Department, the District Attorney and himself to discuss options and develop a plan of attack. The perspective the group is taking on the situation is to educate first, not arrest. Council requested that Chief Dulin provide an update in tomorrow's strategic planning session.
- She reminded Council that the registration deadline for the virtual town hall meeting is this week.
- She observed that the donation blue box on East Main is appalling looking. The City Manager replied that the Code of Ordinances states that the organization responsible for it needs to have a physical presence in the City. The box is not meeting standards. Mr. Robinson stated that someone on the Planning team will check it out as a nuisance.
- Re: City-maintained properties – the newly acquired City properties are looking better – she thanked staff for cleaning it up.
- She was reminded via an email today from WM that this is the second week of the new recycling schedule. She was aware of a few slip-ups but generally 80% of pickups on last week's cycle were on schedule.

Councilmember Whitley:

- He requested that Council work on the litter issue by adopting a highway or street, or at least a portion of one to be on call when the need arises.

CLOSED SESSION

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, unanimously carried, Council appointed Councilmember Hughes to be acting clerk for a portion of closed session.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, unanimously carried, Council approved moving into closed session pursuant to N.C.G.S. 143-318.11(a)(1) to prevent disclosure of information that is privileged or confidential, N.C.G.S. 143-318.11(a)(4) Economic Development, and N.C.G.S. 143-318.11(a)(6) Personnel.

RETURN TO OPEN SESSION

Upon a motion by Councilmember Dry, seconded by Councilmember Lowder 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)(1) to prevent disclosure of information that is privileged or confidential, N.C.G.S. 143-318.11(a)(4) Economic Development, and N.C.G.S. 143-318.11(a)(6) Personnel.

There was nothing to report from closed session.

Upon a motion by Councilmember Lowder, seconded by Councilmember Whitley, unanimously carried, the meeting was adjourned to Tuesday, February 16, 2021 at 4:00 pm in the Senior Center for a strategic planning session.