

REGULAR MEETING CITY COUNCIL  
November 19, 2012

The City Council of the City of Albemarle met in a regular session on Monday, November 19, 2012, at 6:00 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, and Dexter Townsend. Absent, T. Ed Underwood.

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Mayor Whitley called the meeting to order.

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Mayor Whitley and City Councilmembers presented the NC League of Municipalities retirement resolutions. At the request of the City, the League adopted these retirement resolutions at the annual meeting last month in Charlotte.

Linda Wallace  
Barry Smith  
Ted Smith  
Kevin Boone  
Jay Fesperman  
Thomas M. Martin  
Debra Morgan

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Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the minutes of the November 5, 2012 regular minutes and November 5 closed session minutes were approved as submitted.

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A public hearing was held to consider the Albemarle Badin New London Transportation Plan. No one from the public spoke for or against.

NCDOT representative Reuben Crummy came before City Council and reviewed the Albemarle Badin New London Transportation Plan and gave the recommendations by viewing the maps as follows:

Adoption Map  
Highway Map  
Highway Inset Map  
Rail and Transportation Map  
Bicycle Map  
Pedestrian Map

Mr. Crummy answered any questions that Council had. Upon questioning by Councilmember Townsend, Mr. Crummy stated that the projection for this project is until 2035.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall and unanimously carried, the public hearing was closed.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the City Council approved the following resolution.

(Resolution 12-41)

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Battalion Chief Tony Upchurch and Revenue Collections Supervisor Lindsey Carter came before Council to present the results of the 2012 City Employee United Way Campaign. The City Manager noted that these employees along with Assistant Public Works director Nina Underwood chaired the UW campaign for the City this year, and once again we had an excellent campaign. As a small token of appreciation, the City Manager requested that the City Council grant each of these employees an annual leave day.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the City Council approved granting Battalion Chief Tony Upchurch, Assistant Public Works Director Nina Underwood, and Revenue Collections Supervisor Lindsey Carter an annual leave day for their hard work on this year's campaign.

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

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Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the following Ordinance passed second reading and was duly adopted:

(Ordinance 12-38)

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The Mayor and City Council considered approval of an amendment to the EQ Basin engineering agreement. It was noted that the City of Albemarle needs to amend the original engineering agreement with Chambers Engineering, PA, for the design of the EQ Basin, to include contract administration and construction inspection. This was not included in the original agreement with Chambers until the project was designed.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Michael and unanimously carried, the City Council approved an amendment to the EQ Basin engineering agreement.

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Upon a motion by Councilmember Neel, seconded by Councilmember Hall, and unanimously carried, an Ordinance entitled (Ordinance 12-39) “AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF ALBEMARLE, NORTH CAROLINA, BE AMENDED BY REVISING SECTION .047 ENTITLED “HOLIDAYS” OF CHAPTER 24.” passed first reading.

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Upon a motion by Councilmember Alexander, seconded by Councilmember Townsend, and unanimously carried, an Ordinance entitled (Ordinance 12-40) “AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF ALBEMARLE, NORTH CAROLINA, BE AMENDED BY REVISING THE APPENDIX A: SALARY TABLES, TABLE I, ENTITLED “CLASS GROUPED BY SALARY RANGES” AND TABLE II ENTITLED “SCHEDULE OF SALARY RANGES” OF CHAPTER 24.” passed first reading.

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The Mayor and City Council considered a resolution to increase the Mayor and City Council compensation. This resolution increases the Mayor and City Council monthly compensation by 2.5% in accordance with past practice when City employees receive an across the board pay increase.

Upon a motion by Councilmember Neel, seconded by Councilmember Hall, and unanimously carried, City Council opposed a resolution increasing the Mayor and City Council's monthly compensation by 2.5%.

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The Mayor and City Council discussed the community relief efforts for Far Rockaway, New York. Mayor Pro Tem Alexander asked that this be placed on the agenda for discussion. The City Manager noted that Mayor Pro Tem Alexander has been approached by Pastor Bob Gruver of First Assembly Church to see if the City can support in some manner relief efforts being coordinated by this church for this area which suffered significantly from Hurricane Sandy. The City, following Hurricane Katrina assisted in the church's efforts in Ocean Springs, Mississippi. Pastor Gruver advised Mr. Alexander that someone from the Far Rockaway municipal government may be contacting us regarding this effort, but to date we have not been contacted.

Councilmember Neel stated that Electricities sent 12+ crews to that general area in New York and were met with resistance by the power company unions there. He hopes Far Rockaway, NY will not show the same types of resistance for ones going in to help.

Councilmember Michael stated that he hopes this is approved by FEMA before the City considers this.

Councilmember Holcomb stated that we should give the City Manager authority to handle this.

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The Mayor and City Council reviewed a request for designation of surplus property from removal of railroad tracks. Parks and Recreation Director Toby Thorpe stated that a large amount of steel railroad track, spikes, attachment plates, and connector plates have been removed from the former Norfolk-Southern Railroad corridor north of Salisbury Avenue to prepare for conversion of the

corridor to a trail. This request is that these materials be declared surplus by City Council. The potential value of this is in excess of \$5,000 which exceeds the authority of the City Manager to declare surplus.

Upon a motion by Councilmember Hall, seconded by Councilmember Alexander, and unanimously carried, City Council approved designation of surplus property from removal of railroad tracks with a potential value in excess of \$5,000.

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The Mayor and City Council received an update on special tire drop-off event. At the request of Planning Board Member Dorsey Lilly the City Council recently approved a special tire drop-off event similar to what is done in conjunction with the Community Clean-up event.

Director of Planning and Community Development Keith Wolf came forward and stated that the Albemarle Community Appearance Commission and Pro Tire said they would like to hold another event but both recommend the event be held in the spring. Based on these recommendations, Mr. Wolf recommended this event be deferred to the spring to allow for proper planning and communications.

It was the consensus of the City Council to schedule this event in the spring.

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The Mayor and City Council reviewed a draft letter regarding proposed changes to International Energy Conservation Code. Pursuant to City Council's request the City Manager prepared a letter for Council signature to the US Department of Energy based on the template provided by ElectriCities.

Upon a motion by Councilmember Alexander, seconded by Councilmember Neel, and unanimously carried, City Council approved a letter regarding proposed changes to the International Energy Conservation Code.

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The Mayor and City Council considered attendance at the Stanly County Council of Governments Meeting. The announced program for the meeting is economic development.

The Mayor asked that anyone interested in attending, to please let the City Manager know.

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The Mayor and City Council were reminded of the Albemarle Downtown Christmas on Friday, November 30 from 6 pm to 9 pm.

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The Mayor and City Council were reminded of the CONNECT Open House. This event will take place on Monday, December 3 from 4 pm to 7 pm at the Stanly County Agri Civic Center.

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The Mayor and City Council were reminded City offices will be closed on Thursday and Friday, November 22 and 23 for the Thanksgiving holiday.

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Councilmember Townsend wished everyone a Happy Thanksgiving.

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Councilmember Hall asked Fire Chief Oke when the burn is scheduled at the intersection of 1<sup>st</sup> and 2<sup>nd</sup> Streets. Fire Chief Oke stated that is has not been determined if the City will do the burn as of yet.

Councilmember Hall stated that she attended a task force meeting in Raleigh and they discussed permanent drop off boxes for prescription drugs. She stated that the cost of a permanent drop box is \$800. Any prescription medications can be taken to this location with no questions asked. Also, she stated that there is only one incinerator in NC to dispose of these type drugs. She would like for the City to look further into this.

Councilmember Hall asked that between now and January 2013, Council talk about whether we will be in support of Red Cross and Locust on a decision of changing NC 24-27 from an expressway to a boulevard. This was discussed at the RPO meeting this past week. Red Cross and Locust have asked

the RPO to support this change and Councilmember Hall said she would like direction from the city Council on how she should vote on this matter.

Councilmember Neel commented on 15-20 years ago when NCDOT wanted to have a bypass around Locust and Locust did not want this at that time. Having the speed limit 45mph through Locust, except for schools areas would be fine with him.

Council requested that staff provide information at the next meeting providing clarification the differences between an expressway and boulevard to help them in this process.

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Upon a motion by Councilmember Alexander, seconded by Councilmember Townsend and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to NCGS 143.318.11 (a) 3 to consult with the City Attorney.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall 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 to consult with the City Attorney and stated there is something to report at this time.

Mayor Pro Tem Alexander moved that the City approve the proposed settlement agreement with Brian Rogers regarding the OSHA claim he filed against the City in 2010 alleging discriminatory employment practices. This settlement agreement provides for a payment of \$42,500 to end all claims and states that the City denies all liability in this matter. This is for the purpose of ending this dispute and avoiding any further administrative and legal costs in this matter. The motion was seconded by Councilmember Hall. Voting for the motion were Councilmembers Alexander, Hall, Holcomb, Michael, Neel, and Townsend. No one voted against the motion. The motion carried.

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Upon a motion by Councilmember Michael, seconded by Councilmember Holcomb, and unanimously carried, the City Council adjourned until Monday, December 3, 2012 for a regular session meeting at 6 pm.