

REGULAR MEETING CITY COUNCIL

April 5, 2021

The City Council of the City of Albemarle met in a regular session on Monday, April 5, 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, Chris Whitley, Benton Dry, and Dexter Townsend.

Mayor Michael called the meeting to order.

The Mayor gave the invocation.

SPECIAL PRESENTATIONS

Presentation of a City of Albemarle Retirement Certificate – Terry Price, 20.25 Years of Service

The Mayor presented Mr. Price a plaque in gratitude for his over 20 years of service in the Public Utilities Department. Mr. Price retired on March 1, 2021.

Council and the Mayor thanked him for his service.

Presentation of a City of Albemarle Retirement Certificate – Scott Hopkins, 25 Years of Service

The Mayor presented Mr. Hopkins a plaque in gratitude for his 25 years of service in the Public Utilities Department. Mr. Hopkins retired on March 1, 2021.

Mr. Hopkins gave a few remarks. He thanked City staff and Council. He said it's been an honor to work for the City, and then thanked Public Utilities Director Judy Redwine and the former Public Utilities Director for giving him the job back in 1996. He thanked his wife, his children and grandchildren for their love and support. He acknowledged his parents who were present.

Council and the Mayor thanked him for his service. Councilmember Lowder gave a few remarks. She has known the Hopkins family for years and stated that he helped get her here on Council. When she came on Council if she didn't know something should would call Mr. Hopkins for help. She declared that Mr. Hopkins is a loss to the City with his retirement, and stated that he is irreplaceable.

Upon a motion by Councilmember Dry, seconded by Councilmember Townsend, unanimously carried, the minutes from March 15, 2021 regular and closed meetings as submitted were approved.

AGENDA ADJUSTMENT

Mayor Michael requested that Council consider and approve an agenda adjustment as follows:

- Add a New Business item to discuss the project management process for the Albemarle Business Center after the NCLM CityVision voting delegate item (item 13 on the agenda).

Upon a motion by Councilmember Hall, seconded by Councilmember Lowder, unanimously carried, Council approved the agenda adjustment.

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.

CONSENT AGENDA

The Mayor asked if Council wanted to move any items on the consent agenda. One of the Council members asked if the Mayor would clarify the nuclear decommissioning funding resolution before the vote.

The Mayor explained that per general statute, owners of nuclear power plants are required to have a fund to decommission them. Since Albemarle is a member of NC Municipal Power Agency, and there is a nuclear plant co-owned by members, Power Agency #1 has been investing in the fund to this point. The resolution in front of Council tonight supports bills in the General Assembly which would allow for the investments of the nuclear facility decommissioning fund to be performed in a manner currently authorized for some units of government in NC. The change would not impact the State Treasurer's oversight of the investments. The expectation would be that future electric rates would decrease rather than increase since the members would not have to directly support the decommissioning fund.

Ordinance 21-15 – Budget Amendment to Appropriate Parks and Recreation CARES Act Funds and to Appropriate Event Sponsorship Donations

These are funds Council has previously discussed. The CARES Act funds were used primarily for the school supplemental program at the EE Waddell Community Center. Donations also

have been received for Parks and Recreation event sponsorship, and appropriations must be increased to remain in budget authority.

[Ordinance 21-15 - Budget Amendment to Appropriate Parks and Recreation CARES Act Funds and to Appropriate Event Sponsorship Donations]

Resolution to Support Bill for the Funding of Nuclear Decommissioning

State HB 257 and SB 323 would potentially reduce the amount that ratepayers contribute to the Catawba Nuclear Facility Decommissioning Fund by allowing the NC Municipal Power Agency to invest the fund through the state's existing Ancillary Governmental Participant Investment Program (AGPIP) managed by the State Treasurer. This option is currently available to several units of local government in North Carolina. The purpose is to avoid potential future rate increases to support the decommissioning of the Catawba Unit.

[Resolution 21-05 - To Support Bill for the Funding of Nuclear Decommissioning]

Proclamation for the National Day of Prayer

City Council has been requested to adopt a Proclamation for the National Day of Prayer.

[National Day of Prayer Proclamation]

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

- Ordinance 21-15 appropriating CARES Act funds to Parks and Recreation for the school supplemental program at the EE Waddell Community Center and appropriating funding received for event sponsorship;
- Resolution 21-05 to support General Assembly bills to transfer management of the Catawba Nuclear Facility Decommissioning Fund to the NC State Treasurer; and
- The National Day of Prayer Proclamation.

UNFINISHED BUSINESS

Consider a Summer Meeting Schedule

At the previous meeting Council discussed and held this item over. At the March 15 session the possibility of meeting once on the second Monday of each month was discussed, which would put the meetings at June 14th, July 12th, and August 9th. In previous years when this has occurred, City Council has also adjusted the start time for the meetings, as the meetings are typically lengthier due to the longer period in between meetings. It was suggested at the March 15 meeting that the start time not change to lessen the opportunity for confusion.

Councilmember Hughes asked Council to consider keeping the meetings close to the originally scheduled meetings, such as the first Monday of the month, so as to maintain consistency for residents and others. Council discussed Councilmember Hughes's suggestion.

Councilmember Lowder expressed concern over the July meeting date if Council were to consider the 1st Monday of the month as the dates for the June, July and August meetings. The City Manager confirmed that City offices would be closed on Monday July 5th in observance of Independence Day.

Councilmember Lowder called a motion to not schedule any Council meetings the week of July 5, 2021. The motion was seconded by Councilmember Dry and unanimously carried.

Councilmember Hughes called a motion to schedule Council meetings as follows: June 7th, July 12th, and August 2nd. The motion was seconded by Councilmember Lowder and unanimously carried.

NEW BUSINESS

Installation of Speed Bumps at Amhurst Gardens

Council received 2 memos, which included staff analysis and input from the Police, Fire, Public Works and Planning Departments on this issue prior to the meeting. Public Housing Director Lee Staton came forward to make a presentation to Council regarding the request.

The Mayor began the discussion by asking Mr. Staton if there were other Housing Authorities that have the interior roads as private apartment roads which paid out of their funds rather than general City funds. Mr. Staton replied that he was working on providing that to Council but had spoken with a peer public housing director that day.

Councilmember Townsend recalled that the City had speed bump criteria in place but was looking for confirmation of that. The Mayor replied that a previous City Council had adopted speed bump criteria some years ago and that was still in effect. Further discussion about how the installation should be funded occurred.

Assistant City Manager Nyki Hardy explained that Mr. Staton was in a similar role in Greensboro for many years and has undertaken projects like this one there, and so has some experience with the request in front of Council. Mr. Staton stated that HUD has never made attempts to own local City streets connected to public housing, and that using HUD funds would eat away funding to be used for public housing management and maintenance.

City Manager Michael J. Ferris entered the dialogue to provide some history and perspective to the discussion. At the time of the initial approval of speed bump criteria years ago, the City had adopted a high standard. However the City still would want a threshold for placement of speed bumps because it would not be good to have them on many City streets. Council could set a different threshold if they wanted.

Ms. Hardy advised Council that they could revisit the speed bump criteria in the future if they so wished and noted that Clerk/Assistant to the City Manager Cindy Stone had already completed research on this topic ahead of this discussion, so staff has information to provide at the appropriate time. However, this specific request before Council tonight would be considered an exception to the speed bump criteria and that Mr. Staton had a presentation which hopefully would address the many questions Council had.

Mr. Staton began his presentation to Council. Mr. Staton related his conversations with residents and Public Housing staff about the issue. This issue has come up multiple times in community meetings and with staff. Unlike previous petitions for speed bumps on City streets, Amhurst Gardens is a City owned apartment complex and similar to private apartment complexes in the City, staff is requesting the approval for the installation of speed bumps to mitigate speeding in the community.

Staff views this as a way to manage its apartment complex and property similarly to the way other private complexes are able to do. While there are two ways in and out of Amhurst Gardens, there is no public transportation benefit to utilizing these roads for quicker access from one area of the City to another. The roads within Amhurst Gardens exist to serve the complex and speed bumps are a common means of improving safety within an apartment complex. It does not limit or restrict access, as the barricading of Inger Street did years ago. Staff believes this solution will be a more effective means of reducing vehicular speed and improving safety.

His request to Council is that they consider speed bump installation at Amhurst Gardens as an exception to the speed bump criteria. He noted that with the speed study the APD completed in fall 2020 of surrounding residential streets, the street in Amhurst Gardens were the second highest speeds recorded. The City owns these streets and so should be responsible in keeping residents safe. Of particular concern are the safety of children in the public housing complex with kids walking and riding bikes throughout the complex.

Mayor Pro Tem Hall posed a few questions to Mr. Staton. Have there been internal discussions about the issue? Yes this has been raised in internal staff meetings. Is there enough money in the budget to cover the expense? Looking at year-to-date budget information, and adding other funds such as CARES Act funding, yes there is enough money to cover the cost.

Councilmember Townsend reminded Council that a resident was hit by a car and permanently paralyzed about 15 years ago in the area, and so this would be a step in the right direction.

Councilmember Whitley asked for confirmation on whether speed bumps or speed humps were to be placed. Mr. Staton replied that speed bumps were to be placed and then explained the difference between the two.

The Mayor asked about the height of the speed bumps. Mr. Staton answered that they would be 3" in height per the molded forms.

Councilmember Whitley commented that there is a possibility that people could go around the speed bumps rendering them useless. Mr. Staton countered that the speed bumps would not be able to be circumvented or driven around.

Council and Mr. Staton further discussed the composition of the materials to be used and cost of the speed bump installation.

Councilmember Lowder noted that she didn't see any downfalls to the request and wondered what the issue was. The Mayor noted that this was a speed bump criteria issue.

The Mayor asked if the bumps would cause damage to cars. Mr. Staton replied that installation of the bumps would actually be a good thing because it would prevent accidents.

Councilmember Aldridge entered the meeting.

Upon a motion by Councilmember Hughes, seconded by Councilmember Lowder, unanimously carried, Council approved the installation of speed bumps in Amhurst Gardens.

Consider Appointment to Boards/Commissions

Staff is requesting that Council consider appointing Mr. Roddrick Howell to a primary seat on the Historical Resources Commission to replace a member whose term expired in July 2020. Mr. Howell's application and the most recent HRC roster were available for review prior to the meeting.

The Mayor stated that there would be another candidate coming in front of Council and so this item would be tabled until next meeting.

Selection of Voting Delegate for the 2021 NCLM CityVision Conference Annual Business Meeting

As with every NCLM CityVision annual conference, each member municipality shall designate one voting delegate who is eligible to cast a single vote for the 2021-2022 League Board of Directors in advance of the annual business meeting. Delegates are to be selected soon, with voting information going out to delegates around April 12th.

The CityVision conference will be held virtually this year, with the annual business meeting scheduled for April 22nd.

Since Mayor Pro Tem Hall is normally the voting delegate but is running for one of the seats up for consideration, the Mayor, as the only other Council member who has registered thus far, would be the delegate by default.

Upon a motion by Councilmember Hughes, seconded by Councilmember Lowder, unanimously carried, Council approved Mayor Michael as the voting delegate for the City of Albemarle for the 2021 CityVision conference.

Management of the Bidding Process for the Albemarle Business Center (ABC)

The Mayor explained that in large projects such as the ABC, a construction manager is contracted to oversee the construction phase to ensure it is done as specified. The City has used a construction manager at risk in the past as well as continued to engage the project engineer to oversee

construction compliance. The Mayor asked Council if they wanted to move forward with the contracted engineer or contract with a construction manager at risk for the ABC for bid specifications and management of the bidding process for infrastructure development.

Councilmember Whitley stated that the City typically has selected the engineer. Councilmember Dry added for the Highway 24/27 project the City went with the engineer as well, and that he was not in favor of hiring an outside group. Mayor Pro Tem Hall asked if it was typical to hire the current engineer on projects like this. The Mayor replied that this was usually the case.

Upon a motion by Councilmember Dry, seconded by Councilmember Lowder, unanimously carried, Council approved maintaining the current engineer Chambers Engineering as the manager of the construction phase for the ABC, as Chambers Engineering was selected to work on the project through an open process.

A question was asked about the status of the permitting process for the ABC. The Mayor replied that the permit requirements have been satisfied but the City is not in possession of them yet.

COMMENTS

Councilmember Aldridge:

- He apologized for being late for the meeting; he had an out of town meeting beforehand.

Councilmember Townsend:

- He suggested that the City consider installing a stop sign on Barney Poplin Drive at Hilco Street near Uwharrie Trail. The City Manager replied that this could be done since Council had previously approved this prior to the construction of the new road.
- He held up a Monopoly game and stated that he recently noticed and purchased a Monopoly game here locally which is Albemarle-themed. He thought it was a great idea because it promotes downtown businesses, but added that he brought this up in meeting to ensure the public that Council had no input in the creation of this themed version of the game. He asked the City Manager to confirm that fact and the City Manager replied that as far as he is aware, no one in the City had input.

Mayor Michael:

- Re: Charters of Freedom update – he noted that the molds have been set for the forms and now are ready for the concrete pour. He asked Mayor Pro Tem Hall if there was anything else to bring up. She announced that she had paper versions of the legacy paver forms with her at the meeting. She noted that there has been a change in one of the members of the local steering committee, and that after further discussion among the members of the steering committee the date of the dedication ceremony is back on the drawing board but likely will be in September. She added that the committee is planning to have activities, food trucks, and live music at the

ceremony. Could the dedication ceremony be done in October? Mayor Pro Tem Hall would have to see if any steering committee members have any scheduling conflicts in October.

Councilmember Lowder asked if there were any plans for Council sponsorship of the Charters of Freedom. Multiple members replied that they already have sponsored either a plaque or brick paver individually.

Mayor Pro Tem Hall:

- She gave a shout out to Parks and Recreation and the APD for last Saturday's Easter Egg Hunt event at City Lake Park.
- Re: Food Truck Fridays – she reminded everyone that this Friday April 9th is April's Food Truck Friday with Too Much Sylvia set to play. She announced that she has worked with Pfeiffer University to contact alumni who would have seen the initial event hosted there back in the 80s to let them know it's been 30 years since the band started out and that they were playing live gigs again.
- Re: City Lake Park use for events – she said Parks and Recreation Director Lisa Kiser was doing a great job there locating City events at that park and stated that the City is sitting on an unused goldmine with the amphitheater.
- She reminded the public that the City has partnered with Tiffany's at the Boardroom for the May 8th Cruise-In event with the live band Right Turn Clyde playing on 2nd Street that day.
- Re: parking at Food Truck events – she said that for this week's Food Truck Friday the City was proactive about managing the parking situation for the event, with the sheriff's young explorers group agreeing to provide traffic control/direction.
- She announced that the Special Events Committee is still looking for corporate sponsorships of City events, and noted that 1 corporate sponsor has provided 4 months' worth of music for City events as an example of what sponsorship can buy.
- She recently picked up a brochure from a town elsewhere in the state when she was away and provided it to the Assistant City Manager with the intent of trying to promote "small town pride" on signage as the City moves forward with the wayfinding plan.
- She reminded folks that the City and County are hosting an electronics recycling event on April 17th.
- Re: litter pick up and Keep Stanly Beautiful (KSB) partnership – she reminded the public that between April 7th and 24th KSB will be hosting trash pick up events around the City.
- Re: COVID relief funds coming to Albemarle – she wanted to let the public know that the City should keep them up-to-date on what the funds will be used for and asked if staff could place this on the next Council meeting agenda. The Mayor replied that Council intends on keeping the public in the loop on this but that there is not much to tell right now as the IRS still has not made public the requirements and stipulations for that funding.
- This past Saturday she was in the park and met Garrett Starnes. During their conversation she found out that he will be a new business owner in Albemarle soon. His business is called Tomahawk and is an axe throwing range much like similar businesses in neighboring counties. The Mayor added that this owner is currently changing the interior of the building but is hoping to be ready to open by June.

Councilmember Dry:

- He was around for the reopening of the landfill on the first Saturday of the month back in March. He thanked landfill employees for agreeing to be there and for what they are doing and noted that traffic was lined up that day.

Councilmember Lowder:

- Re: sponsorship of Charters of Freedom – she asked other members what specifically they purchased. Two members noted that they purchased plaques and 1 member stated that a paver brick was purchased.
- She noted that she and Councilmember Whitley have shared concern over the section of Second Street leading to Highway 24/27 because it's a bad intersection. Councilmember Whitley added that Highway 24/27 is a NCDOT maintained street and that the City can't do anything. However he can bring it up at the next Rocky River RPO meeting.

Councilmember Whitley:

- Re: litter pick up – he specified that NCDOT has designated April 10-24th as 2021 Spring Litter Sweep. Keep Stanly Beautiful is planning clean ups the next 3 Saturdays along 3 main roads near Rock Creek Park. Each Saturday morning the group will meet in Rock Creek Park and will clean up trash between 8:45 – 11:30 am. If anyone is interested give Lee Snuggs a call at 704-513-8163 – they need volunteers.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, unanimously carried, the meeting was adjourned to Monday, April 19, 2021 at 6:30 p.m. in Council Chambers.