

REGULAR MEETING CITY COUNCIL

April 20, 2020

The City Council of the City of Albemarle met in a regular session on Monday, April 20, 2020 at 7:00 p.m. via electronic meeting. A physical quorum of members was present in the Council Chambers of City Hall, as well as the Mayor and the City Manager. Mayor Ronnie Michael presided, and the following Councilmembers were present, to-wit: Mayor Pro Tempore Martha Sue Hall, Bill Aldridge; Chris Bramlett; Martha E. Hughes; Dexter Townsend; and Chris Whitley. Joining the meeting by phone was Shirley E. Lowder.

Mayor Michael called the meeting to order.

Mayor Michael announced that due to Councilmember Lowder's participation via phone for this meeting he would move the New Business agenda item "Consider Adoption of an Electronic Meeting Policy" to the beginning of the meeting in order for her to be able to join the meeting remotely for the entirety of the meeting after this vote.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, unanimously carried, Council approved the agenda adjustment. Voting in favor were Council members Hall, Hughes, Townsend, Whitley, Bramlett, and Aldridge.

The policy complies with the current NC General Statutes and would allow the City Council or any Council appointed Board or Committee to have members participate via electronic means under certain circumstances. In order to comply with current State law, a quorum would still need to be physically present in the established meeting location; however, the policy allows some members to have full participation in the meeting via electronic means. Staff believes this is a good policy as it will also be useful beyond the current situation, as board members often have legitimate conflicts and issues that prevent them from being physically present at a meeting.

The policy also establishes procedures for public notification and methods for participation when it is not possible to allow the public to physically attend a meeting. Since this is the type of situation with which we are currently dealing, the policy allows for an established process to allow meetings to proceed.

The one exception to the policy is that the City cannot conduct any quasi-judicial proceedings in this manner. Interpretations of the current law are consistent in that quasi-judicial proceedings are excluded because of due process considerations. Board of Adjustment activities, as well as quasi-judicial proceedings that from time to time come before Council and the Historic Resources Commission, will need to be deferred or be conducted in a manner to allow participating board members and interested parties to be physically present.

Councilmember Bramlett noted a discrepancy in section 2 “Conditions Necessary for Electronic Meetings” and section 4 “Quorum” of the policy in terms of the respective statements about which members could constitute a quorum in order to conduct City business during a meeting. In section 2 only a physically present quorum of Council members is noted as a requirement in order to proceed with a meeting, whereas section 4 of the policy currently states that both members physically and electronically present would count towards establishing a quorum. Council decided that the phrase “...or electronically...” in the first sentence in section 4 would be stricken in order to harmonize the quorum requirement that physically present Council members would count towards establishing a quorum for a meeting.

Another question was raised about whether there should be an additional section specifying whether Council members should be permitted to participate electronically during closed session. Council agreed that a section 8 titled “Closed Session” would specify that only members physically present would be able to participate during closed session.

The Mayor noted that Council could always amend this policy at a later date if needed or desired.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Hughes, unanimously carried, Council approved the Electronic Meeting Policy with changes as noted above. Voting in favor were Councilmembers Hall, Hughes, Townsend, Whitley, Bramlett, and Aldridge.

The Mayor announced the addition of Councilmember Lowder to the meeting via phone.

Mayor Michael made a statement. He acknowledged that these are unusual circumstances in which to hold a meeting, but that City business still is occurring and the items being considered tonight are critical to maintaining City operations. He noted that he, the City Manager and City Council are using social distancing methods and keeping the number of people present in the room to under 10 people in accordance with the state executive order and the City’s declaration of a state of emergency, both of which are still in effect. In order to provide public input for this meeting, a public notice was distributed and posted providing information on how anyone wishing to address City Council could call in by phone.

The Mayor thanked all City of Albemarle residents and businesses for complying with state, county and local health measures in order to shorten the COVID-19 pandemic’s effect. Finally, the Mayor encouraged everyone to continue to practice social distancing and follow all health guidelines as promoted by the CDC, state, and county health departments.

The Mayor then gave the invocation.

Upon a motion by Councilmember Hall, seconded by Councilmember Bramlett, unanimously carried, the minutes of the March 3, 2020 adjourned meeting as corrected, and the March 3, 2020 closed, March 16, 2020 regular and March 16, 2020 closed minutes as submitted were approved.

ADMINISTRATIVE REPORTS

Departmental Monthly Reports

Mayor Michael and Councilmembers received monthly departmental reports for March 2020 prior to the meeting. The Mayor asked if any Council members had any questions or comments.

Mayor Pro Tem Hall thanked department heads for submitting reports during a very busy time for them.

MUNICIPAL CALENDAR

Mayor Michael and Councilmembers received the municipal calendar prior to the meeting. The Mayor asked if any Councilmembers had any questions or comments.

CONSENT AGENDA

Mayor Michael noted that for the change order #3 for contract 1 for the sanitary sewer rehabilitation phase 2 item, there also is a contract amendment for the Engineer as part of that packet on which Council would be voting. The Mayor also asked if Council wanted to remove any items from the consent agenda. There were no motions for any further changes to be noted in the consent agenda, or to remove any items.

A question was raised about how the public hearing for the Public Housing 5 Year Plan was conducted given the health guidelines in place due to COVID-19. Assistant City Manager Nyki Hardy replied that there was a morning and an afternoon hearing scheduled on April 2nd and that prior to both, Staff set up a room in Public Housing to ensure that each chair was 6 feet apart from other chairs. For the morning hearing there were no attendees, and there were only 2 attendees at the afternoon hearing. Those 2 attendees were socially distanced from one another in the room during the hearing.

Ordinance 20-11 – To Appropriate Fund Balance for the Change in the Parking Configuration on North Street

This ordinance to appropriate the fund balance in the General Fund for the striping of North Street between Second Street and Fourth Street.

(Ordinance 20-11 - To Appropriate Fund Balance for the Change in the Parking Configuration on North Street)

Ordinance 20-12 – To Extend the Handicapped Parking Zone on North Third Street

The Ordinance has been drafted at Council's direction and increases the on-street handicapped parking zone on the west side of North Third Street in front of the Stanly County Senior Center.

(Ordinance 20-12 - To Extend the Handicapped Parking Zone on North Third Street)

Approval of Change Order #3 for Contract 1 of Sanitary Sewer Rehabilitation Phase 2

This item was discussed and reviewed by Adam Kiker, LKC Engineering, at the March 16th meeting. This is not part of the original contract. It is being proposed because it has been determined to be a need that must be addressed in the near future. Performing the work now will save on mobilization and other costs.

Change Order #3 for Contract 1 of Sanitary Sewer Rehabilitation Phase 2 is to replace an existing 8" aerial line that is compromised and at risk of failure in the amount of \$80,095.20. The change order scope would feature replacing the line and using an I-beam to span the creek. Beginning contingency for the project was \$270,000. \$19,333 has been previously approved, leaving a current balance of \$250,667. The item added is a contract amendment for the engineer, which changes the scope of the contract, and for which the City incurred additional costs to design the change.

Consider Bid 2020-05 - SCADA System Upgrade in Public Utilities Department

Public Utilities received 2 sealed bids on March 26, 2020 to provide a SCADA (Supervisory Control & Data Acquisition) System Upgrade of the master station in the electric division. This computer is the brains to the operation of all the substations (breakers and switches). Southeastern Consulting Engineers is recommending that the City accepts QEI's bid of \$76,260 with delivery of 12 weeks. The other bid from Survalent Technology came in at \$108,790 with delivery of 12 to 16 weeks. There were 2 other vendors with "no bid". Staff advises that since what we are seeking is part for service, there is no requirement for three bids to be received and Council can proceed with approving a bid.

CITY OF ALBEMARLE FINANCE DEPARTMENT ALBEMARLE PURCHASING								
BID TABULATION								
Bid Number		2020-05						
Description		SCADA SYSTEM UPGRADE						
Project Type		FORMAL						
Requesting Department		PUBLIC UTILITIES DEPARTMENT						
Date / Time		THURSDAY, MARCH 26, 2020, 2:30 PM						
Location		144 N 2ND STREET, RAYMOND I ALLEN COMMUNITY ROOM, #118						
Facilitator(s)		Linda J. Lewis, Purchasing Coordinator						
Item	Company	5% Bid Bond	HUB Affidavit A/B, or C	E-Verify Form	Non-Collusive Affidavit	TOTAL BASE BID	OPTIONAL 5 YEAR MASTER SOFTWARE SUPPORT & ASSISTANCE	TOTAL
1)	SURVALENT TECHNOLOGY INC	X	C	X	X	\$108,790.00		
2)	QEI LLC	X	A, B	X	X	\$76,260.00		
3)								
4)								
5)								
6)								
7)								
8)								
9)								
10)								

Pavement Maintenance Contract Approval

There are two informal contract bids for approval for the City's annual pavement maintenance plan. The low bid contract for the micro-surfacing preservation was submitted by Boxley Materials Company in the amount of \$133,510.22. The low bid contract for the 2" mill and resurface was submitted by CK Earnhardt & Son in the amount of \$189,404.94.

Approval of Public Housing's 5 Year Agency Plan and Proposed Policy Changes

At the March 2, 2020 City Council meeting, Interim Public Housing Director Garry Lewis presented the draft FY2020-FY2024 Five Year Agency Plan. The required public hearings were advertised and held on April 2nd to receive public comments on the agency plan and proposed policy changes. It is recommended that City Council approve Public Housing's FY2020-2024 Five Year Agency Action Plan and proposed policy changes for submittal to HUD.

Albemarle Business Center Farming Lease

The City wishes to lease a portion of the land at the Albemarle Business Center for farming. Council received a contract with the Southland Timber Company, Inc. for review prior to the meeting. Farming the land keeps the developable areas clear and rental income is received.

When the land for the Albemarle Business Center was purchased it was being farmed for cotton and the City has allowed the farmer to continue. Also, it was beneficial to the City for the farmer to manage the land. After farming two more years, the existing farmer was not able to continue and was planning to have another farmer farm the land. As the planting and growing season was approaching there was uncertainty about the situation with the existing farmer.

Also, as the time to install infrastructure for the Albemarle Business Center is approaching, these farmers were made aware that their crops could be at risk as development took place. This could include a company wishing to buy and develop land. Ultimately, the existing farmer group decided it did not want to take on the risk related to development. The new farmer, Southland Timber Company, Inc. decided they could handle this risk and we are presenting a contract with them to farm the land for \$60 per acre. 150 acres will be farmed for a total lease of \$9,000 annually.

Cancel City Council Personnel Policy Workshop, Monday, April 27th at 6:00 pm

This workshop was scheduled previously. If City Council would like to cancel this meeting and reschedule when the coronavirus has subsided, it would not cause any issue for staff.

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

- Ordinance 20-11 appropriating the General Fund balance for the striping of North Street between Second Street and Fourth Street.
- Ordinance 20-12 extending the on-street handicapped parking zone on the west side of North Third Street in front of the Stanly County Senior Center.
- Change order #3 for contract 1 for sanitary sewer rehabilitation phase 2 with the notation of the addition of the contract amendment for the Engineer.
- QEI's bid of \$76,260 with delivery of 12 weeks for the SCADA system upgrade in the Public Utilities Department.
- Boxley Materials Company's bid of \$133,510.22 for micro surfacing preservation and CK Earnhardt & Son's bid of \$189,404.94 for milling and resurfacing for the City's annual streets maintenance plan.
- Public Housing's FY2020-2024 Five Year Agency Action Plan and proposed policy changes.
- Southland Timber Company Inc.'s farming lease contract with the City of Albemarle for 150 acres of the Albemarle Business Center site.
- Cancellation of the April 27th Council Personnel Policy Workshop.

NEW BUSINESS

Recommendation of Benefits Broker

Human Resources Director Dana Chaney summarized the selection process and rationale for Staff's recommendation to City Council via phone (unmuted by Zoom conference facilitator) using a presentation provided to City Council prior to the meeting.

The City has been with the same broker for many years, and much has changed in the industry and also with our needs during this time, so Staff felt it was appropriate to solicit proposals. The overall goal of this process was to identify a broker that could successfully manage both the City's

self-funded health insurance programs, as well as ancillary benefits programs, providing a more strategic approach and consolidated enrollment process.

The City recently conducted a Request for Proposal (RFP) to invite submissions from firms with expertise and experience in providing brokerage services for health insurance and employee benefits. Compensation for broker services will primarily be through a combination of brokerage fees paid by the insurance carriers. The City considered alternate fee proposals, including annual and additional service rates for comprehensive services. Staff agreed that provider selection would not be based solely upon price.

Staff engaged in a multi-step process between early February and mid-March 2020 to reach its final recommendation to Council, which included responding to potential bidder questions during the RFP phase, convening a member panel to review submissions, interview firms and offer 4 finalist selections to Human Resources, and performing extensive background checks on the finalists by interviewing multiple municipalities locally and regionally that have used the finalists' services. As a result of this process, Staff would like to recommend One Digital to Council for consideration of approval of a contract with them for self-funded health insurance programs, as well as ancillary benefits programs.

One Digital has been recommended for the following reasons:

- They listened to the City's needs;
- There is greater choice of services with this firm;
- There is opportunity for cost management and transparency with this firm;
- One Digital emphasizes benefits technology;
- This firm would enable the City to consolidate open enrollment for a variety of benefit programs;
- One Digital would provide additional, unbiased professional guidance to employees; and
- One Digital emphasizes enhanced employee educational opportunities.

Should Council decide to approve One Digital for the benefit broker contract, Human Resources would start right away with client onboarding, financial and market reviews, discussions of goals, review of wellness programs, and development of an enrollment strategy.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council approved awarding the benefits brokerage services contract to One Digital to begin as soon as the contract can be executed.

Before leaving the agenda item, a few members asked for clarification on the timeline for undergoing a comprehensive review to include the financial impact of the change in benefits brokers, and how the current carrier would be notified. HR Director Dana Chaney replied that she intends to begin the comprehensive review as soon as possible. The current carrier would be notified of the change in benefits brokers via the broker of record notice.

Designation of a Voting Delegate for the Annual NCLM Business Meeting

The Annual Conference of the NCLM membership has been canceled. Like all other organizations, the NCLM is trying to find ways to move forward with needed business and work in the current environment. As a result, the Business Meeting typically held during the Annual Conference will be held electronically. This is the time when the City would designate a voting delegate. In the current situation, the voting delegate will vote electronically prior to the meeting with the result presented at the electronic meeting. The virtual Annual Meeting is scheduled for May 28th, with voting occurring by May 15th.

The City can designate one voting delegate and an alternate. Considering Councilmember Townsend has been the City of Albemarle's NCLM voting delegate for years, members agreed that he should remain the delegate this year.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Aldridge, unanimously carried, Council approved Councilmember Dexter Townsend to be the City's delegate for the 2020 NCLM Annual Business Meeting.

Introduction of New Public Housing Director

Mr. Lee Staton started as the new Public Housing Director on Monday, March 30, 2020. The City Manager Michael J. Ferris stated that although Mr. Staton began his position during an unusual and busy time for the City with the rise of the COVID-19 pandemic, he has shown an exemplary ability to hit the ground running and start to address some routine issues in his first 3 weeks in the position.

The City Manager invited the new Public Housing Director Lee Staton to say a few words. Mr. Staton entered the meeting via phone. He thanked the City Manager, the Assistant City Manager, and other members of the City management team for giving him the opportunity to serve in this position.

The Mayor and Council members welcomed Mr. Staton and expressed the hope that they will be able to see him in person soon.

COMMENTS/UPDATES

Mayor Michael asked if Council members had any comments they would like to make. The following Council members provided remarks:

Councilmember Townsend:

- The lights in the parking lot at the new police station look great.
- In this uncertain time of dealing with COVID-19 you never know what the community is made of until they are confronted with a crisis. The City of Albemarle and Stanly County are resilient. He is proud of how residents, businesses, the community, City staff, the Stanly County School system, health departments and health care groups, and entities like Stanly County Christian Ministries, and restaurants are all helping one another to keep the community safe and provide

basics like food to those impacted by the pandemic. The Mayor and Mayor Pro Tempore echoed Councilmember Townsend's shout out to Stanly County Christian Ministries for asking for food donations and getting a great response from the community, and for aiding a huge increase in families obtaining food via the weekly food giveaways and sponsoring a Second Harvest Food Bank food truck a few weeks back.

Mayor Pro Tempore Hall:

- An "attaboy" went out to all City staff, who are considered essential during this time. She told them to stay safe.
- Following up on part of Councilmember Townsend's remarks, she commended Stanly County Christian Ministries for providing (and preparing) food for hundreds of families daily since early in the pandemic. She noted that donations of food can be dropped off there on Mondays and Wednesdays, and that families can drive up to receive food on Tuesdays and Thursdays. Councilmember Townsend noted that in Oakboro this Thursday April 23rd, a Second Harvest Food Bank food truck will arrive with 50 pounds of food to give away to the first 300 families in line.
- The Community Inn is still operating.

Mayor Michael:

- Thanks to City staff and residents for staying home and taking the necessary precautions to get through this safely.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hughes, unanimously carried, the meeting was adjourned to the next regular City Council meeting on Monday, May 4, 2020 at 7:00 p.m. in City Council Chambers via an electronic meeting.

Mayor Pro Tempore Hall made an announcement after the motion for adjournment. The Special Events Committee is planning a series of three, Friday night social events at City Lake Park. Provided that restrictions will be lifted by this time, on the 1st, 2nd and 4th Fridays in June the Special Events Committee will host a social event to include food trucks, entertainment, and a variety of games.

Councilmember Lowder provided a remark after the motion for adjournment. She commended the City Public Works Streets Division crew who worked on the water line break and street repair on Highway 52 North during the Easter weekend. Considering the amount of street repair to be done, Councilmember Lowder thought that the time the Streets crew took to get the street repaired was fast.