

REGULAR MEETING CITY COUNCIL
October 15, 2012

The City Council of the City of Albemarle met in a regular session on Monday, October 15, 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, Dexter Townsend, and T. Ed Underwood. Absent, none.

Mayor Whitley called the meeting to order.

Mr. Mike Mozingo, ElectriCities of North Carolina came before Council to present the City of Albemarle with Public Power Awards of Excellence from ElectriCities of NC in the following categories:

Competitive Business Environment
Energy Efficiency
Financial Stability
Legislative Involvement
Service Excellence

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the minutes of the October 1, 2012 regular minutes were approved as submitted.

A public hearing was held to consider proposed financing of renovations to the former Jesse Niven Center for use as Parks/Recreation administrative offices of the City of Albemarle. No one spoke for or against.

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

Ms. Eva H. McNeill, Carolinas HealthCare System came before City Council to present Carolinas HealthCare System's Employee Assistance Program for consideration. City Council received a packet of information on this program. This program specializes in quality workplace programs providing comprehensive assessments and counseling or referral to community resources. Each employee would be eligible for 6 sessions per year at a cost of \$26 per person per year.

Ms. McNeill answered any questions that Council had. Mayor Whitley stated that the City's Management Team saw a presentation regarding this from Ms. McNeill recently, and felt it was important for City Council to see this presentation as well to determine if you would consider providing this to our employees.

It was noted that this expense is not included in the current budget, but the Management Team would be willing to make other cuts in their budgets to create the funds for this program.

Upon questioning, Human Resources Director Robert Whitley stated that this program could begin as of January 2013 or we can wait until the new fiscal year starting July 2013.

Upon a motion by Councilmember Michael, seconded by Councilmember Holcomb and unanimously carried, Council approved the Carolinas HealthCare System's Employee Assistance Program for City employees.

Ms. Regina Butler with Homes of Hope came before Council to discuss Domestic Violence Awareness Month and discuss awareness of this issue. Ms. Butler invited the Mayor and City Council to an event at the YMCA Park for this on Thursday, October 25 at 6 pm. Ms. Butler also asked City Council to approve a proclamation similar to the one the City Council approved last year.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, Council approved a proclamation for domestic violence awareness month.

(Proclamation – Domestic Violence Awareness Month)

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

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

(Ordinance 12-33.- To amend the CBD /Central Business District, the GHBD/General Highway Business District and the LID/light Industrial District, to add various additional permitted uses and to define the uses of “Brewery” and “Microbrewery”.)

(Ordinance 12-34 - To rezone 2827 US Hwy 52 N from GHBD/General Highway Business District to R-10 Single Family-Residential District.)

Ordinance 12-35 - To rezone 2831 US Hwy 52 N from GHBD/General Highway Business District to R-10 Single Family-Residential District.)

(Ordinance 12-36 - To rezone 302/304 North First Street from RO/Residential-Office District to CBD /Central Business District.)

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood, and unanimously carried, an Ordinance entitled (Ordinance 12-37) “AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, ADOPTING A PROJECT BUDGET ORDINANCE RELATING TO THE RENOVATION OF THE FORMER JESSE NIVEN CENTER.” passed first reading.

The Mayor and City Council considered approval of financing bids for the renovations to the former Niven Center. The City sent RFP via email to 7 banks and 3 responded. Council received a copy of the bids. Ms. Conroy noted that she recommends Council approve the low bid of BB&T at 2.55% over a 15

year term and request that, if Council approves the BB&T bid, that they pass the resolution attached to BB&T's bid.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, City Council approved the low bidder of BB&T at 2.55% over a 15 year term and approved passing the resolution supplied by BB&T.

(Resolution 12-31. To approve financing terms for the Jesse Niven Center.)

Upon a motion by Councilmember Neel, seconded by Councilmember Michael, and unanimously carried, City Council approved to formally adopt the name of Jesse F. Niven for the Parks and Recreation administrative office building of the City of Albemarle on East Main Street.

The City Council considered recommendation of the ADDC Board of Directors regarding downtown lights. The ADDC Board of Directors has recommended that downtown lighting including the City Hall Christmas Tree, street tree lights and snowflakes be lit on Wednesday, November 21. The City Manager noted that in recent years, these lights have been turned on at the downtown Christmas Open House. However, this year this event is not until November 30. As a consequence, the ADDC Board has recommended lighting these the day before Thanksgiving.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood, and unanimously carried, City Council approved the downtown lighting including the City Hall Christmas Tree, street tree lights and snowflakes be lit on Wednesday, November 21.

The Mayor and City Council considered a resolution to authorize financing for the US 52 Water Treatment Plant EQ Project. This resolution is brought before council seeking authority for the Finance Director and Assistant Finance Director to go out for bid for financing the 52 Equalization Project. Engineering estimates are just under \$1.4million for the project and we request

that we bid financing not to exceed that amount and to set a public hearing for November 5, 2012 for this financing. Council received a copy of this resolution.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, City Council approved a resolution to authorize financing for US 52 Water Treatment Plant EQ Project and to set public hearing for Monday, November 5, 2012.

(Resolution 12-32. To authorize the filing of an application for approval of a financing agreement.)

The Mayor and City Council considered resolutions honoring former members of City Boards and Commissions. The City Manager noted that City Council recently requested that resolutions be drafted to thank members of City boards and commissions who have recently rotated off or declined reappointment. Council received copies of these resolutions.

Upon a motion by Councilmember Alexander, seconded by Councilmember Neel, and unanimously carried, City Council approved the following resolutions honoring former City Board and Commission members.

(Resolution 12-33 - To honor Barbara Thomas for his service on the Albemarle Downtown Development Corporation Board of Directors.)

(Resolution 12-34 - To honor Charlie Frye for his service on the Zoning Board of Adjustment.)

(Resolution 12-35 - To honor Walt Misenheimer for his service on the Albemarle Community Appearance Commission.)

(Resolution 12-36 - To honor Charlie Hughes for his service on the Zoning Board of Adjustment.)

(Resolution 12-37 - To honor Dr. Chris Bramlett for his service on the Albemarle Downtown Development Corporation Board of Directors.)

(Resolution 12-38 - To honor Kent Newport for his service on the Zoning Board of Adjustment.)

(Resolution 12-39 - To honor Sue Massey for her service on the Tree Commission.)

(Resolution 12-40 - To honor Barbara Bowers for her service on the Albemarle Downtown Development Corporation Board of Directors.)

The Mayor and City Council received information concerning the Albemarle Downtown Development Corporation's audit for year ending June 30, 2012. It was noted that this was presented to the ADDC Board of Directors on Monday of this week. The auditor issued an unqualified opinion and there were no findings or concerns noted.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Alexander, and unanimously carried, City Council approved the Albemarle Downtown Development Corporation's Audit for year ending June 30.

The Mayor and City Council considered a request of Stanly County Museum for temporary storage of artifacts during museum renovations. The City Manager noted that the City has space available at the former Fire Station One, which would work for their purposes. He had advised Jonathan Underwood that in the unlikely event we would need this space prior to the completion of their renovations, we would have to ask them to remove the items.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, City Council approved temporary storage of artifacts during museum renovations for the Stanly County Museum and to include a hold harmless clause be added to the agreement between the City and the Stanly County Museum.

The Mayor and City Council discussed new requirements for representatives to rural planning organizations. The City Manager noted that the NC General Assembly in the recent session passed legislation that makes RPO

delegates subject to the State Ethics Act. This means that the delegates and alternates to the RRRPO TCC and TAC will have to participate in state ethics training, be subject to certain ethical requirements, and file an annual Statement of Economic Interest. This is effective January 1, 2013 and the Rocky River RPO is supposed to be assisting its members in complying with this new requirement, and is going to provide this assistance before the end of the year, but this is to make everyone aware of this new mandate.

The Mayor and City Council discussed an offer of donation of .3 acre tract from Wiscasset Mills Company. The City Manager noted that this parcel is located just north of East Mason Street and west of the Winston Salem Southbound Railroad. Mayor Pro Tem Alexander has been approached by Atlantic American Properties about the possible donation of this small .3 acre parcel which is Stanly County Tax Record 28872 and does not have road access. It is near our future greenway area, and could have some potential benefit for that. The Mayor has also pointed out that if this is donated to the City it could prevent it from becoming an eyesore as some former Wiscasset properties have become. The property is valued at \$8,921.00.

Upon a motion by Councilmember Alexander, seconded by Councilmember Holcomb, and unanimously carried, City Council approved the offer of donation of a .3 acre parcel, Stanly County tax record 28872, by Atlantic American Properties to the City of Albemarle.

The Mayor and City Council considered an appointment to fill an unexpired term on the Albemarle Tree Commission. Ms. Sue Massey is out of the area and has resigned from the Tree Commission, thus leaving an unexpired term. Council received a copy of the list of volunteers for this board.

Councilmember Hall asked that this item be held over until the 1st meeting in December.

The Mayor and City Council considered designation of a voting delegate and alternate delegate to the NLC Congress of Cities. This conference will take place November 28-December 1 in Boston, Massachusetts. The NLC

allows the appointment of a voting delegate and two alternate delegates to the Congress of Cities. Councilmembers Hall, Holcomb, and Townsend are registered for this conference.

Upon a motion by Councilmember Michael, seconded by Councilmember Underwood, and unanimously carried, City Council approved Councilmember Townsend as the voting delegate and Councilmembers Hall and Holcomb as alternate voting delegates.

The Mayor and City Council considered attendance at the NC League of Municipalities Transportation Forum. The City Manager noted that we can RSVP for anyone who would like to attend. He said that he and the Public Works Director Mike Lambert are attending, so any other attendees would be able to ride with them to Raleigh.

The Mayor and City Council were reminded of the Albemarle Economic Development Task Force Meeting being held on Thursday, October 18 from 6 pm to 8 pm in the Community Room at City Hall.

Councilmember Hall stated that she was glad to see that the City employee golf tournament was a success.

Ms. Hall thanked City Council and City staff in all the hard work during Public Power Week and making it such a success.

Ms. Hall asked about the clean up of the Wiscasset property. The City Manager stated that Parks and Recreation Director Toby Thorpe is working on this and coordinating with another department on this project.

Councilmember Neel asked about the letter that was sent out to the City's utility customers regarding a water repair service and sewer repair service program. Mr. Neel stated that he had a phone call from an elderly neighbor and it scared her into thinking that she must pay for this service. He also asked if we really do need this service.

Councilmember Holcomb stated that utility businesses everywhere are doing this.

The City Manager stated that Council saw this type of service at a National League of Cities meeting and thought this would be a good service to offer our utility customers.

Upon questioning, Councilmember Townsend stated that the service will allow customers to work with local contractors in having repairs done. We looked at other municipalities while researching this. There is no cost to the City and the City receives a type of rebate for City customers participating in this program. This is an added benefit to our citizens.

Upon a motion by Councilmember Underwood, seconded by Councilmember Alexander and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to NCGS 143.318.11(a) 3 and 5 to consult with the City Attorney and to discuss real estate transactions.

Upon a motion by Councilmember Underwood, seconded by Councilmember Michael 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 and 5 to consult with the City Attorney and to discuss real estate transactions and stated there is nothing to report at this time.

Upon a motion by Councilmember Alexander, seconded by Councilmember Underwood, and unanimously carried, the City Council adjourned until Wednesday, October 17 for a joint session meeting with the Planning Board and Board of Adjustment at Rosebriar Restaurant at 6:30 pm.