

CORRECTED
REGULAR MEETING CITY COUNCIL

July 12, 2021

The City Council of the City of Albemarle met in a regular session on Monday, July 12, 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, Chris Whitley, Benton Dry, and Dexter Townsend. Absent: Councilmember Shirley D. Lowder.

Mayor Michael called the meeting to order.

The Mayor gave the invocation.

Special Presentations:

National Parks and Recreation Week Proclamation

Mayor Michael called Parks and Recreation Director Lisa Kiser forward to say a few words. July is Parks and Recreation month across the country. By recognizing this July as Parks and Recreation month the City has the opportunity to acknowledge the importance of parks and recreation and the benefits it provides to the people in our community.

Ms. Kiser read the proclamation aloud. She then asked her staff in attendance to come forward to be recognized. Staff in attendance included: Oliver Webster, Cindy Burris, Shawn Baldwin, Leon Strickland, Payne Caulder, James Sutton, Jordan Crisco, Todd Sullivan, Brent Kirven, and Billy McRae. She thanked them for all they do, working nights and weekends as the backbone of the department.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council adopted the National Parks and Recreation Week proclamation.

[National Parks and Recreation Week Proclamation]

AGENDA ADJUSTMENT

Mayor Pro Tem Hall recognized Ms. Inga Kennedy, a consultant working with the WK Dickson group on the stormwater plan, and noted that due to her need to commute back to the Raleigh area tonight, she called a motion to move Ms. Kennedy's presentation to Council to next on the agenda

to accommodate her. Councilmember Townsend seconded the motion and upon a vote, the motion was unanimously carried.

ANNOUNCED DELEGATIONS

Inga Kennedy – Public Engagement Consultant with WK Dickson

Public Works Director Ross Holshouser came up to introduce Ms. Kennedy. He noted that Mr. Tom Murray with WK Dickson was also present. Ms. Kennedy has been working with WK Dickson and the City stormwater project team to solicit input from Council and staff on a public outreach campaign. WK Dickson has met with all elected officials and some staff members one-on-one and gathered feedback regarding thoughts on a stormwater program public outreach campaign.

Ms. Kennedy presented initial thoughts on a public outreach campaign for the next few months and beyond. The focus of the public outreach campaign will be education, awareness, and input. This campaign is being viewed as a two-way process. WK Dickson will use a variety of communication tools to provide access to information and opportunities for input. The campaign will include the following:

- Press releases in the Stanly News and Press and on social media outlets.
- A dedicated webpage is going “live” on the City’s website with a dedicated email address for the public to send requests and information directly to the team.
- Live interviews on the local radio station.
- A fact sheet and a FAQ sheet for the public.
- Short video clips.
- Survey and information dissemination via the utility bill stuffer.
- Attendance at local events such as the Farmer’s Market and Food Truck Fridays, and hopefully at places of worship. The Mayor requested that WK Dickson get on the Rotary Club’s agenda soon since they meet periodically and to reach out to Mr. Whitley. Ms. Kennedy acknowledged the request and stated the team would reach out soon to the Rotary Club to get on their meeting agenda.
- Anticipated formal meetings in the fall.

Ms. Kennedy requested that if Council had any other ideas for outreach to let staff or WK Dickson know. She then outlined what they are doing now to prepare for launching the campaign. They are developing a local interactive map for the public to visualize the problem areas in the City, and to allow for residents to add information to the map of other areas/neighborhoods not already identified with flooding/drainage issues. They also plan to hand out hard copy surveys to residents as well as have an online one to complete to gather input.

Council thanked Ms. Kennedy for her presentation.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Dry, unanimously carried, the minutes of the May 19, 2021 special meeting and June 7, 2021 regular and closed meetings as submitted were approved.

PUBLIC HEARINGS

Ordinance 21-18 – Renaming Rebel Road to Salvation Way

This public hearing is a continuation from the June 7, 2021 meeting. City Council requested the affected parties meet to discuss a mutually agreeable name. The City Manager was advised that the two sides did not reach an agreement.

This hearing is being held to consider the request for a street name change from the Elders of Cross Community Church. Notification was sent to the affected property owners with property adjoining the road under consideration. The attached Ordinance authorizes the renaming of Rebel Road to Salvation Way.

The Mayor called for the public hearing to be opened and asked if anyone would like to speak on the topic again. Ms. Linda T. Olinger came in front of Council again to provide an update on negotiations between her family and the church. She recounted briefly the stake she and her siblings have in the family property which abuts Rebel Road, and their opposition to a religious-themed road name. She read a statement from her sister who was not in attendance outlining the process the family and the church underwent to consider alternate names for the road. The church pastor Mr. Jeff Williams and 3 family members worked via email to consider other names. The family offered 2 street names, but the church elders were not in agreement with them. The pastor declined any other recommendations besides “Community Lane” and deferred a decision to City Council. The family also at this point would defer to Council but is requesting that Council consider a neutral name agreeable to both parties.

Ms. Olinger then disclosed that the family has placed the property involved in this matter up for sale with McGuire Realty. She requested that the sign that the church has put up which is hard to see around when navigating the street be removed. Councilmember Aldridge did confirm Ms. Olinger’s observation that the church sign does impede a driver’s view when trying to make a right-hand turn. City Manager Michael J. Ferris added that when the City reopened the street the church was asked to remove the sign.

Councilmember Dry commented that since the Turner family is selling the property, he wondered if Council should hold off on the issue until the new buyer was made aware of the street renaming request. Since the issue was on hold due to the two sides not agreeing on a name, he would rather have the parties who are going to be affected involved in making the decision.

Ms. Olinger also noted to Council that the family would like to request the street sign be put back up as it was taken down and it is making advertising and showing the property difficult. Staff noted that the sign would be put back up.

Planning and Development Services Director Kevin Robinson came in front of Council to respond on the church signage issue. Senior Planner Ellie Sheild went to discuss the signage with the

church recently, noting that a portion of the sign was in the right of way. They will talk to the Church again.

Mayor Pro Tem Hall agreed with Councilmember's Dry's recommendation to hold off on making a decision. She asked Council what timeframe Council should allow before taking it up again. Councilmember Townsend asked if the public hearing would need to be re-advertised if there was further delay. City Manager Michael J. Ferris replied that no additional advertising would need to be done for this public hearing.

Mayor Pro Tem Hall made a motion to leave open the public hearing on the street renaming of Rebel Road to the September 7th meeting. Councilmember Dry seconded the motion. Upon a vote of 5 Councilmembers for the motion and 1 against the motion, the motion passed. Those Council members voting for the motion included: Hall, Hughes, Whitley, Townsend, and Dry. Councilmember Aldridge voted against the motion.

Ordinance 21-25 – Consider Map Amendment ZMA21-08 for Northeast Connector

Property

A public hearing was conducted to consider Map Amendment to rezone Tax Parcel 13390 of approximately 60.83 acres northwest of the intersection of Northeast Connector and Badin Road from R-10 / General Residential District to R-8/Neighborhood Residential District. This request would allow the petitioner to increased housing density in the land to be re-zoned for the purpose of developing 12 townhomes.

Senior Planner Ellie Sheild presented the ordinance and summary of the zoning changes to Council. She noted that the Planning and Zoning Board voted 5-2 to recommend that City Council approve the rezoning for ZMA21-08 with the adopted Consistency Statement. Also, all public hearing notice requirements were met for the July 6th Planning and Zoning Board meeting as well as tonight's City Council meeting.

The Mayor called for the public hearing to be opened and asked if anyone would like to speak on the topic.

Mr. Mark Lowder, residing at 714 Eastwood Drive, Albemarle came in front of Council. His home is directly adjacent to the acreage under consideration. He requested that Council deny the request for rezoning because it increases the density of homes in the neighborhood. He is not asking for the land to not be developed, but rather he is requesting that Council maintain the R-10 zoning designation to keep the larger neighborhood consistent in use. He noted that Pond Street is being proposed to have two entranceways off of Badin Road, therefore the potential of increased traffic there is possible. The houses in the surrounding neighborhood have been there for decades with no addition of townhomes. Also due to the wetland areas, there is abundant wildlife which could be displaced with the development of the vacant land. He asked that the City not change the value and nature of the neighborhood due to its current value and beauty now. He would rather have a developer build homes which are congruent with the existing homes.

Senior Planner Ellie Sheild noted that the developer/applicant was present tonight and if Council wished it, he could come and present. Representing the co-applicant, DP Development, Mr. Kyle diPretoro came forward to make remarks to Council. The rezoning to R-8 is only to increase the density of single-family houses in the parcel due to minimal wetland disturbance. This project will still adhere to

R-8 zoning standards in development and providing adequate tree buffers around the perimeter of the parcel. Addressing Mr. Lowder's comments, Mr. diPretoro first noted that per the density of development, 118 units would be built which would be a bit smaller but still approximately 2 units per acre. There would be a large buffer area with sufficient wetlands. The development also would be heavily landscaped to maintain the existing nature as much as possible. In terms of keeping in tune with the larger neighborhood, the townhomes would be put on the market in the mid \$200,000 range because they are hearing that is what buyers are looking for now. Per the traffic issue, a DOT traffic study is expected to be completed and the developer plans to comply with any DOT requirements on the Northeast Connector. The developer also will complete a protected species audit beforehand.

A number of Council members had questions. Councilmember Whitley asked if Mr. diPretoro knew if they could be certain of access per the DOT analysis. Mr. diPretoro replied that he was not certain of this fact and that things could change with the DOT traffic study. Mr. Robinson added that staff completed a mock up of road connections and presented them to Mark Morgan at NCDOT. However the subdivision plat has not been reviewed yet. Although the neighborhood used to be heavily wooded, some of that has been taken out already with other nearby development. He then pointed out the area again on the future land use map for Council. Mr. Robinson then advised Council to focus on the rezoning case rather than wetland conservation or traffic, which could be addressed at a later time with a subdivision designation request if Council wishes to approve the rezoning first.

Councilmember Townsend commented that a similar rezoning request came in front of Council around 6 months ago for another subdivision – was that an R-10 to R-8 request? Mr. Robinson replied that R-10 was not involved in that request. However the developer included smaller clusters of housing which might be in line with this developer's proposed use.

Mayor Pro Tem Hall reminded Council to not look at the preliminary plat or other considerations for this rezoning request, as those factors are not relevant at this point to the rezoning request in front of Council now.

The Mayor asked if anyone else wished to speak for or against the rezoning request to please come forward. Ms. Dorothy Hefner, residing at 1342 East Cannon Avenue in Albemarle, came forward. She lives at a dead end and would be very impacted by this proposed development. She is against the rezoning for R-10 to R-8 being proposed.

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

The Mayor asked Council if there was any further discussion on the rezoning request. Councilmember Hughes asked Planning to briefly explain the difference between the R-10 and R-8 designations. Mr. Robinson replied that the main differences between the two were a slightly smaller lot size and the ability to build townhomes in the R-8 designation versus the R-10 designation.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, with a vote of 4 Council members for the motion and 2 Council members against the motion, Council denied the rezoning request. Council members voting for the motion were: Hall, Dry, Hughes, and Aldridge. Council members voting against the motion were Townsend and Whitley.*

* NOTE: Please refer to the latter portion of these minutes before the motion to go into closed session for additional discussion and Council actions on this rezoning request.

Ordinance 21-26 – Amendments to City Ordinance Required by G.S. Chapter 160D

Changes

A public hearing was conducted to consider City-initiated Text Amendment (TA21-02) to revise multiple sections of the City Ordinance to conform with state enacted development and land use regulations mandated by Chapter 160D.

Planning and Development Services Director Kevin Robinson presented the ordinance and summary of Chapter 160D changes to Council. He noted that the Planning and Zoning Board held a public hearing on July 6, 2021 and unanimously recommended Council approve TA21-02. He noted that Planning will have to make further changes to the City’s Code of Ordinances later on to conform to Chapter 160D.

The Mayor called for the public hearing to be opened and asked if anyone would like to speak on the topic. No one came forward to speak.

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

The Mayor asked if Council had any questions. Mayor Pro Tem Hall asked about the extension timeline for 160D adoption which Mr. Robinson confirmed as being July 2021. She thanked Senior Planner Ellie Sheild, City Attorney Britt Burch and members of the Planning Department for the work they did on this project.

Mayor Pro Tem Hall followed with a question about the training videos – which group put those out? UNC School of Government developed those 160D videos for training and guidance for municipalities. She then commented that viewing them should be made mandatory for the Planning and Zoning Board. Mr. Robinson assured her that the Board members will be trained.

Councilmember Dry asked Mr. Robinson to clarify if all of the recommended changes have been made to the City’s Code of Ordinances. Mr. Robinson replied that most of them already had been made with the Code of Ordinances revision to the zoning and development sections brought in front of Council back in January of this year. This time the team made changes to terminology along with the addition of a few sections not previously in the City’s Code of Ordinances.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, unanimously carried, Council approved Ordinance 21-26 adopting amendments to the City of Albemarle’s Code of Ordinances required by G.S Chapter 160D.

[Ordinance 21-26 - Amendments to City Ordinance Required by G.S.
Chapter 160D Changes]

ANNOUNCED DELEGATIONS

Jody Cook Requesting Abandonment of Former Leonard Avenue Right of Way

Mr. Jody Cook came in front of Council to request that the City consider abandoning its interest in the former Leonard Avenue right of way. He noted that he is the owner of 123 and 125 Leonard Avenue, buying his father-in-law's properties at the request of his family after his death. Mr. Cook has maintained this area over time. He said he could grant the City an easement for this portion of right of way, or the City could declare the portion of right of way as abandoned.

City Manager Michael J. Ferris explained that Leonard Avenue was not always in its current configuration and did not align with Moss Springs Road. The NCDOT and the City were involved several years ago in a project to align these two roads, which resulted in the closure of a small section of Leonard Avenue south of East Main Street. If the City relinquished its interest in the right of way as a road, the City would retain any current or future utility easement needs.

A Councilmember asked if other affected property owners have been notified, City Attorney Britt Burch noted that the next steps with proceeding with this process would be drafting a resolution of the intent to abandon this portion of Leonard Avenue for the August 2 meeting, and then set a public hearing for the second meeting in September.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council authorized City staff to move forward with drafting a resolution to set a public hearing to consider the intent for abandonment of Leonard Avenue right of way portion for Council to consider at the August 2nd meeting.

ADMINISTRATIVE REPORTS

Departmental Spotlight – Parks and Recreation Department

Parks and Recreation Director Lisa Kiser came back in front of Council to provide an overview of the Parks and Recreation Department. She first outlined the department's mission and gave a departmental overview. The Recreation Division is responsible for: youth and adult athletic leagues, quality recreation programming, special events, and pools. The Parks Division is responsible for: maintaining all parks, maintaining all buildings, assisting with setting up for special events, and special projects.

FY 2020-21 highlights for the Recreation Division included: the remote learning center at EE Waddell Community Center; the third year of summer camp; reopening of City pools; implementing Food Truck Fridays at City Lake Park; implementation of the online reservation and registration system; over \$59,000 secured in grant funding; and a revenue increase of 62% from FY 2019-20.

The FY 21-22 Recreation Division budget is \$875,391 and will support: planning, developing, implementing, and evaluating recreational programming; meeting the needs of the community and addressing gaps through recreational programming; organizing, implementing, and evaluating Youth and Adult Athletic Leagues; organizing, implementing, and evaluating Uwharrie Senior Games; facilitate building and facility rentals; planning, developing, implementing, and evaluating

special events for the City of Albemarle; and book performing acts for the Albemarle Neighborhood Theatre.

Councilmember Dry commented that he hoped to see a new ballpark on the former Wiscasset property the City now owns.

FY 2020-21 highlights for the Parks Division included: installation of new playground equipment at Chuck Morehead Park; new roof at EE Waddell Center; new HVAC system for the EE Waddell Center gym; replacement of flooring at the EE Waddell Center weight room; continuation of repairs at the Don Montgomery Park due to Hurricane Florence; remodeling of the pool house at Rock Creek Park pool; replacement of pool filtration system and motor at Rock Creek Park pool; installation of kiosk and sidewalk medallions for the downtown walking route; and keeping parks open during COVID19.

The FY 21-22 Parks Division budget is \$1,149,907 and will support: upkeep and maintenance at the Niven Center, EE Waddell Center, and Albemarle Neighborhood Theater; grounds and maintenance at the 5 large City parks; grounds and maintenance at the 3 small City parks; upkeep and maintenance of greenway and walking routes; upkeep and maintenance of 2 outdoor pools; support Recreation staff with program set-up; set up for special events; and special projects.

Ms. Kiser went over FY 22 departmental goals and priorities in the following areas: talent and compensation management; infrastructure; community and economic development; and engaging multiple generations. She took questions and comments from Council. Councilmember Aldridge asked if the paving at Chuck Morehead Park was complete. Ms. Kiser replied that yes it was complete and thanked Public Works for doing the job there.

Mayor Pro Tem Hall thanked Parks and Recreation staff for all they do. She thinks that there might be a perception out there that stuff just happens, but these folks are always making sure things are done. She noted that Ms. Kiser was resourceful in repurposing many staff last year during COVID19 to avoid any layoffs. She appreciates all of them and especially their support of Lisa over these last four weeks.

The Mayor and Council joined in to offer thanks to Ms. Kiser and her staff. Council and the audience gave the Parks and Recreation team a round of applause. Cindy Burris stated her thanks to Ms. Kiser for her support of staff and leadership.

Jay Voyles, Development Coordination Specialist – To Provide a 2020 Census Update

Throughout the Census process, Jay Voyles has provided updates and presented the current status of the Census and data release to City Council. Tonight he came in front of Council to provide an update on Census data dissemination. It has been almost 1 year since the Census was completed. At this point in time, the US Census Department has distributed state-wide data, but county and municipal-level data are still pending release. Release of local level data is expected to be delayed to September 2021, which has created uncertainty for redistricting and therefore has impacted timing and feasibility of local elections in 2021.

During this time, Mr. Voyles has engaged Carolina Regional Council (CRC) to develop a proposal to execute a redistricting process should it be needed. CRC can assist the City by illustrating the raw Census data, draw new district boundaries, and provide assistance in navigating the process as a whole. He reminded Council and the public that population change (decrease or increase) of over 5% in any given voting district would prompt redistricting to occur.

Another annual task that Planning is currently working on is updating the NC Office of State Budget and Management with the data they need to update the annual population estimates for the City. These annual estimates could be considered a stop gap measure in lieu of Census data until municipal level Census data is received. The data that the state office requires from the City are: areas that the City has recently annexed, changes to populations in group quarters (such as nursing homes and health care facilities), and new residential construction in the form of building permits issued.

Since new construction and the housing market is a hot topic now, Mr. Voyles shared the construction information he is submitting to the state. In the last fiscal year, from July 1, 2020 through June 30, 2021 the City has permitted 99 new single family homes, 3 2-family homes, and 2 multi-family projects which have 29 dwellings each. In total this is 163 dwellings permitted. The state will take this data along with data they have acquired to generate the annual population estimate for Albemarle. US Census data that the City will be receiving soon will be nearly an exact headcount and demographic data set acquired through responses from individuals and families during the Census last year.

Mr. Voyles closed his presentation by stating he expects to be back in front of Council for the next Census update in August or September.

UNANNOUNCED DELEGATION

The Mayor announced at this time an unannounced delegation was here to come in front of Council to tie in with the next agenda item about concerns with the intersection at Anderson Road and Woodhurst Lane.

Ms. Mandy Smith, residing at 2008 Woodhurst Lane, came in front of Council to raise her concern about the Anderson Road/Woodhurst Lane intersection. She and her neighbors are concerned about speeding in this area. She is not sure what the current posted speed limit is, but she can attest to observing many drivers not paying attention to the speed limit. She has gone to the police to register her complaint.

She also stated that drivers do not stop at the 4-way stop at that intersection either. Out of 100 cars she counted recently, 85 of them did not stop at the intersection.

Some Council members had questions for Ms. Smith. Is this the intersection near a daycare? Yes it is and it is expected that the daycare will reopen soon. Have these problems occurred recently? Yes, since there has been new home construction in the area the situation has gotten worse.

Ms. Smith also stated that there is abundant wildlife and vulnerable populations such as children and the elderly in this area, and she is concerned for their welfare and safety.

Council thanked her for bringing this concern to their attention. The Mayor then requested that Public Works Director Ross Holshouser came in front of Council to address Ms. Smith's and her neighbors' concerns about this intersection.

Consider Staff Recommendations for Anderson Road and Woodhurst Lane Intersection to Address Citizen Concerns

Citizens have reached out to City staff and elected officials with traffic concerns near the intersection of Anderson Road & Woodhurst Lane, where increased traffic volume, not coming to a complete stop at 4-way stop intersection, and speeding are the main concerns. It was reported that a group of City staff visited the intersection recently and noted that the complaints raised about the intersection are legitimate concerns.

Staff is recommending the following: install new stop and 4-way signs; install new "STOP" and stop bar pavement markings at the intersection; install a new 4-way flashing red light at the intersection; speed reduction from 35 to 25 mph along City portions of Anderson Road & Woodhurst Lane; increased police presence to address any speeding issues and any drivers not stopping; and Public Works reaching out to NCDOT about speeding concerns near the Bird Road/Woodhurst Lane intersection.

The Mayor asked where the street improvements end in that area. Mr. Holshouser replied that the City is improving part of Anderson (now Hilco), and when that process is complete will come near the intersection at issue. The Mayor followed up by asking if the intersection should be made into a roundabout or be enlarged. Mr. Holshouser replied that any staff discussion of these possibilities likely occurred before his tenure as Public Works Director. However, a traffic study could be conducted. He acknowledged that area will see a tremendous impact due to development there.

Mayor Pro Tem Hall commented that the City should put up signage there if not already there, especially speed limit signage. She also noted that after the improvements made to the North Second Street/Montgomery Avenue intersection with the 4-way flashing stop, it seems as though more people are obeying the signage there.

Mr. Holshouser noted that a portion of Woodhurst Lane is NCDOT maintained. He stated that the City can reach out to NCDOT to discuss this area and any DOT requirements, and assured Council that Public Works can meet DOT standards/requirements with any improvements made along this area.

Councilmember Aldridge commented that street signage and improvements are good ideas, but also noted that since there might be an effect of some repeat violators contributing to the issue, having a police car occupied or unoccupied at that intersection was likely the quickest, most effective way to solve it.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Dry, unanimously carried, Council authorized staff to bring an ordinance to adjust the speed limit and to proceed with intersection changes including any pavement markings which have been approved by NCDOT.

Update – Heritage Court Curb and Gutter Installation

Mayor Pro Tem Hall requested an update. Public Works Director Ross Holshouser reviewed the status of this project with Council. City Council held a public hearing at its January 4, 2021 meeting per the request of property owners along Heritage Court to install curb and gutters along the cul de sac. After the public hearing Council approved the installation of curb and gutters along Heritage Court. Part of the project involves the City installing a pipe between the creek and the street which would impact one of the property owners in the court.

Mr. Holshouser has been trying to contact the owner about the pipe installation since Council approved the project. He just heard from her recently and is setting up a meeting to go over the water distribution issue and clarify property lines. An easement agreement with the City for pipe installation is needed.

Councilmember Whitley noted that he has been in contact with this property owner and relayed the property's owner's wish to have the pipe run along the property line.

Mayor Pro Tem Hall stated that she asked for this item to be on the agenda because someone came up to her to ask for an update. She and Mr. Holshouser discussed whether this issue with water distribution came up in January when Council was considering the curb and gutter installation petition and the public hearing was held. Mr. Holshouser replied that at that time he had provided a memo to Council about issues/plans related to this project which included mention of the water distribution issue.

Information – City Streets Adopted for Litter Clean Up

Mayor Pro Tem Hall requested the attached list be placed on the agenda.

Mr. Holshouser presented the update to Council. The streets adopted so far include: Montgomery Avenue between 2nd street and 9th Street; North 6th Street from Park Ridge to Yadkin; all of Leonard Avenue; 350 to 1130 Pee Dee Avenue; Melchior Branch to the roundabout; all of Almond Street; and all of Gray Street.

In addition to those streets on the list, the Albemarle Fire Department has adopted the following streets:

- Fire Station 1 Henson St
- Fire Station 2 Old Charlotte Rd
- Fire Station 3 Snuggs St.

Mr. Holshouser added that Public Works is in discussion with Monarch to adopt part of Greenwood Street. He is not aware of the details on this due to the fact that Assistant Public Works Director Renee Keziah is managing this initiative.

Councilmember Dry had a few comments on the topic. He noted that he is aware that more people are coming through the courts who have been sentenced to community service to perform trash pick up now. However NCDOT manages this program and so City streets are not being serviced by this program. He then asked if the City can place no littering signs or if that was state/DOT jurisdiction. The Mayor responded that he is aware of a legislative push on this on the state level but is not sure where that legislation stands right now. Council requested that the City Attorney research the legislative agenda to provide an update to Council on the status of this item.

Mayor Pro Tem Hall commented that she asked for this item to be on the agenda due to a phone call from a resident who lives on Yadkin. There is a vacant lot there where folks have started dumping larger amounts of trash. She went to that site and picked up trash herself recently, but she wanted Council to know about recent efforts and problem areas.

Mr. Holshouser added that Keep Stanly Beautiful (KSB) has been keeping Public Works updated on their litter removal efforts. Councilmember Dry added that anything the City can do to support KSB's efforts would be helpful.

Police and Fire Staffing

Mayor Pro Tem Hall requested an update on staffing and recruitment in these two Departments. Interim Police Chief David Poston and Fire Chief Pierre Brewton came in front of Council to provide updates. The Mayor requested that Chief Brewton provide his report first.

Chief Brewton reported that currently the Fire Department has 44 personnel, with 39 under the (fire) suppression function, 3 in administration, and 2 part-time employees. Of the 39 under the suppression function, 35 of those active. The remaining 4 firefighters under the suppression function are completing formal training later on this month and will be released to task. There is 1 vacancy in the department due to a resignation in June.

The Chief then noted that Council has at their seats on the dais invitations to the firefighter graduation ceremony later in the month. He noted that unlike previous years, he developed and received approval from the City Manager to internally conduct the formal firefighter training curriculum. This is the first Albemarle Fire Department trained recruit class, which was very successful. He noted that training would not have occurred if it were not for the partnerships they built with other entities such as the YMCA and local volunteer fire departments. He also gave a "hats off" to City of Albemarle Public Housing and Parks and Recreation departments for their assistance with the training. The graduation ceremony is the culmination of training for the firefighter graduates and he hopes that some on Council will be able to attend.

Mayor Pro Tem Hall commented that per the May Fire Department report, a number of personnel were in training, and asked what level of personnel attended. Chief Brewton replied that 1 battalion chief and 2 captains attended a national training then.

The Mayor then asked for the police staffing report and asked if the City Manager wanted to introduce Interim Police Chief David Poston. Mr. Ferris reported that Interim Chief Poston started on June 21st. Interim Chief Poston has hit the ground running, and has implemented an approach

where he empowers officers by allowing them to be decision makers. He has from the beginning applied sound leadership to the department. He is glad Interim Chief Poston is here.

Interim Chief Poston came in front of Council to provide his report. He began by saying that he is honored to serve here at the City of Albemarle, and that he is super impressed by the bond between the police and the community here. That shows him there still is faith in policing in Albemarle. He retired from the Charlotte-Mecklenburg Police Department in 2018. He comes from a family engaged in public service. His father was a Charlotte-Mecklenburg firefighter, and one brother is soon to retire from the Charlotte-Mecklenburg Police Department, while another brother is still an officer there.

The Mayor welcomed Interim Chief Poston and stated that Council is looking forward to great things happening at the Police Department.

Mr. Poston commenced with his report. Currently the Police Department is 11 officers short. Three officer trainees will start the police academy on August 9th, and 7 more will be starting the academy on August 18th, so fully trained officers are expected to be released to task in early 2022. Mayor Pro Tem Hall asked for what duration the City pays officer salaries during training. Interim Chief Poston replied that officer trainees are paid for the 16 weeks of academy training and 16 weeks of field operations training.

Councilmember Aldridge welcomed Interim Chief Poston and then reported that he heard that he was reaching out to other local police chiefs and the sheriff. Interim Chief Poston replied that he was because collaboration with neighboring municipalities is critical. He noted he has already reached out to Chief Brewton and that Chief Brewton has been great with helping him out so far.

Council welcomed Interim Chief Poston and said they were glad to have him here.

Departmental Monthly Reports

The Mayor and Council received monthly departmental reports for May 2021 prior to the meeting. The Mayor asked if any Council members had any questions or comments. Mayor Pro Tem Hall noted that she had some comments and questions, largely for Economic Development, but is emailing department directors separately.

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. Councilmember Hughes requested that the resolution approving the updated salary schedule be removed for the consent agenda.

Resolution of Support for the NC Counties in the Opioid Settlement and Memorandum of Understanding Related to the Settlement and Distribution of Funds

Stanly County is requesting the City of Albemarle execute a Resolution and Memorandum of Understanding to support a national opioid settlement. This effort is being led by the State and coordinated by the Association of County Commissioners on behalf of NC localities. Adopting the Memorandum of Understanding does not give away any future rights or interest of the City. The intent is for municipalities in North Carolina to work with their counties to support the process so that a settlement can be reached. If an agreement is reached, counties are obligated to work with municipalities over 10,000 in population on the municipal share of the settlement funds. It would behoove the City to support the process the State and Association of County Commissioners have been working on for over a year.

[Resolution 21-18 - Resolution of Support for the NC Counties in the Opioid Settlement and Memorandum of Understanding Related to the Settlement and Distribution of Funds]

Consider 3-Year Contract with Retail Strategies for the Downtown Strategies Program

In the adopted FY 21/22 Budget, the City approved funding to participate in the Downtown Strategies program through Retail Strategies. We have the option of entering into a 3-year agreement for this program at a significantly reduced price over the year-to-year option. If we select the 3-year option, our cost over that time will be \$45,000. This reduced rate is due to Electricities funding a portion of the program. If we choose year-to-year, our total cost over a 3-year period would be \$75,000. The City Manager recommends that Council select the multi-year funding option

Ordinance 21-27 – Changes to Nuisance Compliance Timeline

This Ordinance was drafted at the request of City Council from the June 7 meeting. It reduces the timeline for nuisance abatement from the current 15 days to 10 days.

[Ordinance 21-27 – Changes to Nuisance Compliance Timeline]

Ordinance 21-28 – Amending the FY 21-22 Operating Budget

This budget amendment is to appropriate the Fund Balance for:

1. Items ordered and encumbered in FY20-21 but not received until this fiscal year;
2. Funding the Pee Dee Avenue parking lot project and sewer improvements on Pee Dee Avenue and North 6th Street; and
3. Remaining funds anticipated from FEMA for repairs related to Hurricane Florence.

[Ordinance 21-28 – Amending the FY 21-22 Operating Budget]

Ordinance 21-29 – Amending the ARP Project Budget

This budget amendment is to increase the Grant Project Budget to match the total estimated grant amount as stated in the Award Summary 2021.

[Ordinance 21-29 – Amending the ARP Project Budget]

Ordinance 21-30 – Adopting the Pee Dee Avenue Parking Project Budget

This is to adopt a project budget for the Pee Dee Avenue Parking Project.

[Ordinance 21-30 – Adopting the Pee Dee Avenue Parking Project Budget]

Ordinance 21-31 – Amending Streetscape/Wayfinding Project Budget

This budget amendment is to move funds appropriated in the FY 21/22 Budget to the established Streetscape / Wayfinding Project Budget.

[Ordinance 21-31 – Amending Streetscape/Wayfinding Project Budget]

Consider Road Closures for Charters of Freedom Dedication Ceremony

The Charters of Freedom Dedication Ceremony will be held on Tuesday, October 12th from 5:30 - 6:30 pm in front of the New Charters of Freedom installation on the Second Street side of City Hall. Street closures will be as follows:

- Second Street from North Street to Main Street

Consider Road Closures for Dinner on Main Event

ADDC is sponsoring Dinner on Main, which is an outdoor dinner event catered by Off the Square on September 18th from 7:00 pm to 10:00 pm. Road closures requested starting at 4 pm through 11:30 pm include:

- Second Street between North and King Streets
- Main Street from First to Third Streets

Consider Street Closure for Back to School Giveaway Event

The nonprofit Just Us Kids (Ms. Rhonda Vinson) would like to hold a back to school supplies giveaway event on Saturday, July 31st from noon until 5 pm. The street requested to be closed is Lincoln Street between Elizabeth Avenue and Martin Luther King Jr. Drive.

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

- Resolution 21-18 supporting the NC counties in the opioid settlement and Memorandum of Understanding related to the settlement and distribution of funds;
- A 3-year contract with Retail Strategies for the Downtown Strategies Program;
- Ordinance 21-27 reducing the timeline for nuisance abatement from the current 15 days to 10 days;
- Ordinance 21-28 appropriating the Fund balance for the FY 2021-22 operating budget for the reasons noted above;
- Ordinance 21-29 amending the ARP project budget per the reason noted above;
- Ordinance 21-30 adopting a project budget for the Pee Dee Avenue Parking Project;
- Ordinance 21-31 for a budget amendment to move funds appropriated in the FY 21/22 Budget to the established Streetscape / Wayfinding Project Budget
- Road closures for the Charters of Freedom Dedication Ceremony to be held on Tuesday, October 12th;
- Road closures for the Dinner on Main event to be held on September 18th; and
- Street closure for the back to school supplies giveaway event sponsored by Just Us Kids on July 31st.

Resolution Approving Updated Salary Schedule

Councilmember Hughes requested this item be placed on the agenda.

HR Director Dana Chaney came in front of Council to answer any questions Council had. The recently approved pay scale needed to be modified in order to ensure that:

1. All positions are listed; and
2. Stated ranges are aligned with the stated "Minimum" of the range listed on the 2020 pay scale and not the hiring rate, which has been eliminated as part of the changes to be more competitive.

Councilmember Hughes asked if the memorandum about the salary schedule had been updated since Council last saw it. Ms. Chaney replied that it has been subsequently updated.

Councilmember Hughes then posed a staffing scenario comparing two people in the same position but with different times in position and asked Ms. Chaney how that type of situation would be handled. Ms. Chaney replied that in that type of situation, staff would base the pay adjustment to factor in time in position. However, if individual scenarios require a review, HR will revisit them. Ms. Chaney explained that the HR team spent quite a bit of time auditing a variety of scenarios in order to build the resultant salary schedule provided.

Ms. Chaney remarked that a big factor in the rate/salary differentials that are occurring now is that the City has made a decision to end the practice of offering the minimum rate/salary to a new employee with a rate/salary "bonus" after completing the probationary period. Now the City uses that "bonus" money to create a higher introductory rate/salary offer closer to market to initial hires up front.

Ms. Chaney thanked all of the department directors for looking over the new salary schedule, and for the supervisors across departments who attended HR training on the new salary schedule and also those who provided input. Councilmember Hughes added her thanks and appreciation of HR's efforts and stated that this salary adjustment process should help the City employees.

Ms. Chaney added that moving forward, HR has created a benefits brochure that will be included with the new hire letter for newly hired employees. HR also provided this for current employees.

Mayor Pro Tem Hall asked how annual performance cycles would occur after this City-wide effort for salary adjustment is implemented. Ms. Chaney replied that for annual performance reviews, HR would implement a new performance management system in this current fiscal year. HR is working with IS on an application called NeoGov which first will be implemented for initial applicant tracking, and then will be incorporated into the employee annual appraisal process.

Mayor Pro Tem Hall noted that per routine notices from the NC Treasurer to municipalities warning them against "pension spiking" per the NCLGERS rule, was this a factor with any employees as a result of the compensation study implementation process? Sarah Richards, contractor with the Finance Department, responded by stating that she will look into that.

Councilmember Hughes commented that this initiative will impact everyone working for the City of Albemarle. Ms. Chaney thanked Council for their support of the process and the funding to make this happen.

A question was asked about the 1/3-1/3-1/3 philosophy for reviewing compensation per the compensation study implementation. Ms. Chaney replied that the city intends to study one-third of the workforce annually for salary competitiveness. This rolling cycle will eliminate such a long period of time between salary reviews and will also not create such a dramatic increase and cost to the City to implement all at once. The first third of positions will begin the following fiscal year.

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, unanimously carried, Council adopted Resolution 21-19 approving the updated salary schedule.

[Resolution 21-19 - Approving Updated Salary Schedule]

UNFINISHED BUSINESS

Consider Appointments to Boards and Commissions

As of July 1, 2021 for the below listed boards and commissions, the following vacancies are yet to be filled:

Historic Resources Commission:

- Lynn White (end of 1st term) - Not interested in reappointment. (vacancy)
- Lynn Plummer (end of 1st term) - Not interested in reappointment.(vacancy)

Planning/Zoning Board:

- 3rd alternate seat - vacant

Parks and Recreation Advisory Board:

- Central Elementary seat - vacant

Council was presented with 4 applications prior to the meeting for consideration of vacant seats. Councilmember Townsend circulated another applicant's form before the meeting began.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council approved the appointment of Billy Mills to a seat on the Historic Resources Commission.

Councilmember Hughes asked Planning to explain how they were able to have preliminary meetings with 2 applicants but not all of them. Senior Planner Ellie Sheild responded that for those 2 applicants, Planning was approached by the applicants in person and so had the opportunity to sit down and speak to them. Planning wants to move forward with applicants who have specifically expressed interest in the Planning and Zoning Board and Historic Resources Commission, believing they would have more invested members.

Upon a motion by Councilmember Hughes, seconded by Councilmember Hall, unanimously carried, Council approved the appointment of Matthew Casey Greene to a seat on the Historic Resources Commission.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, unanimously carried, Council approved the appointment of Marcus Owen to the third alternate seat on the Planning and Zoning Board.

The Mayor noted that there were no applications which qualified for the seat on the Parks and Recreation Advisory Board that is currently open, and hoped that there might be applications aligning with that Board's vacancy for Council to review at the next Council meeting.

NEW BUSINESS

Consider Setting Public Hearing for Voluntary Annexation of 54.237 Acres Off Leonard Avenue

A voluntary annexation petition has been submitted by the property owners of 54.237 unincorporated acres off of Leonard Avenue to request the City annex this land into the City Limits.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council approved Resolution 21-17 to set a public hearing for the annexation of 54.237 acres off Leonard Avenue for the August 2nd meeting.

[Resolution 21-17 – Annexation off Leonard Avenue]

Public Housing Burn Units Reconstruction/Renovations

Public Housing Director Lee Staton came in front of Council to present this item. In October 2020, four (4) units in Amhurst Gardens sustained substantial damaged as result of a fire and were taken out of occupancy. Stogner Architecture was secured under an existing Indefinite Quantity Contract (#4405) for architecture and construction management services. The project was advertised in May 2021. A bid date of June 16, 2021 was set for public bid opening. Only two bids were received, and per COA Procurement Policy, three bids were required. The two bids were returned to the General Contractors and a re-bid was set and advertised in the SNAP and NCDOA HUB website. Bids were received and publicly opened on June 30, 2021. A total of three (3) bids were received. The low bid was received from DWA, Inc. of Troy, NC, with a base bid of \$552,500.00. Per review of bid documents and references, in the opinion of Stogner Architecture and Public Housing Staff, it is our recommendation that Council award the project to DWA, Inc.

A question was asked whether Public Housing staff or Stogner considered the two alternate bids. Mr. Staton replied that the alternate bids were not accepted.

Councilmember Whitley asked whether the City's insurance company was going to take care of this. Mr. Staton replied that the insurance company will not make any determination until after the bids are accepted and the company receives an itemization of the services and materials to be used for the accepted bid work. Will the insurance company review the bids? Yes it will. Mr. Staton noted that he is not sure how much, if any, of the reconstruction/renovation project the insurance company will cover. However Public Housing can go back to the insurance company and negotiate.

Councilmember Dry asked if the insurance company has applied the deductible yet. Mr. Staton replied that the company has not done so at this point, but when that occurs, the resident whose son started the fire will be billed for that amount.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, unanimously carried, Council approved the base bid of \$552,500.00 from DWA, Inc. of Troy, NC for the reconstruction/renovation of 4 units at Amhurst Gardens damaged in the 2020 fire.

[insert bid tabulation here]

After the motion and vote Mayor Pro Tem Hall asked Mr. Staton about the public hearing in May at Amhurst Gardens. Why were only staff present? Mr. Staton replied that the resident council met the previous day with 8 Public Housing tenants in attendance where the information was discussed. It was unlikely they would attend the public hearing the next day.

Councilmember Townsend asked for an update on the door project. Mr. Staton reported that all doors for all except 4 units have been completed to date.

Mayor Pro Tem Hall asked if there was any word yet from HUD about a site visit. Mr. Staton replied that he has not heard anything yet but that he and his team are ready.

Consider Request from NCDOT to Accept Mabry Drive and a Portion of Kingsley Drive for City Maintenance

The City Manager has been working with NCDOT District Engineer Marc Morgan on issues with these two roads.

1. Mabry Drive - The maintained portion of Mabry is a 470-foot long by 22-foot wide and serves the Quality Enclosures facility. The NCDOT is performing maintenance on this street as it currently has many potholes. It connects to Kingsley Drive and is a dead end at the other end. The NCDOT would like to resurface the entire roadway and then turn it over to the City as part of our road system moving forward. The NCDOT would not complete the resurfacing until early in 2022, but they would like a commitment from the City that we would accept the road once resurfaced. We do not really have a need for the street, but if it is improved by NCDOT we will be able to continue to provide service to a business our economic development program recruited and the road would connect to an existing City Road (Kingsley if this section is also accepted).
2. Kingsley Drive - This is a City maintained street from West Main Street until approximately 500-feet from its intersection with Poplin's Grove Church Road. The NCDOT section was outside the City at one time and was therefore under their maintenance. Over the years, the City has annexed in this area. The NCDOT is proposing that we accept the remainder of Kingsley Drive as part of our system. It was resurfaced in this area approximately 5 years ago and is in good condition.

The City Manager does not see an issue with the acceptance of Mabry, once resurfaced, and the section of Kingsley Drive. The City and District office have a very good working relationship and acceptance by the City makes sense as Mabry will connect to a City street if all of Kingsley will become a City street. It will also make maintenance responsibilities clearer for the future. The City would be committing to acceptance of two roads in very good condition that we could add to our system for additional Powell Bill funding. The NCDOT advises that if we provide a commitment to accept, a formal acceptance process will be initiated once they complete improvements to Mabry Drive in early 2022.

Mayor Pro Tem Hall stated that she did not see any benefit to taking on these two roads. City Manager Michael J. Ferris responded by noting that the following benefits would accrue: the City would inherit upgraded roads; there would be a small bump in Powell Bill funds the City would receive; it would provide continuity in the City system of roads and help a local business out which the Economic Development Department has been assisting. The City needs to also keep these roads open as a public right of way so that local commercial traffic is not diverted.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, unanimously carried, Council accepted Mabry Drive and a portion of Kingsley Drive from NCDOT after improvement work is completed.

Discussion of Air Packs

Mayor Pro Tem Hall requested this item be placed on the agenda for discussion. Chief Brewton came in front of Council to take questions.

Chief Brewton began with background of the issue. Albemarle Fire Department was awarded a FEMA grant in 2019 which allowed the purchase of 45 air packs. The air packs were delivered late in 2020 and training was done early in 2021. His team noticed some issues and they worked directly with the vendor and manufacturer to troubleshoot.

Mayor Pro Tem Hall asked when the problems with the air packs started. Chief Brewton replied that when the air packs went into service, some of them had to be sent back for further testing. The issue was with the low-air notification whistle, which is one of three types of low air notification systems that are built into the air packs. He allowed staff to identify the problem and work with the vendor and manufacturer at first to try to solve the problem.

Councilmember Townsend asked how many air packs were sent back. Chief Brewton replied that 25 air packs had issues with the low-air whistle. The vendor performed an assessment on several of the air packs in-house and corrected some aspects of the issue at the time. Three packs were sent away for servicing and came back last week, but the manufacturer is still in fact-finding mode.

Councilmember Whitley asked what the most defective issue was. Chief Brewton replied that it was largely an equipment issue, but there were elements of staff training issue too in that the training was not thorough before but have since received better training on the equipment.

Councilmember Aldridge asked if the issue arose due to receiving a bad batch, or is it more of a frequent issue with these air packs? Chief Brewton replied that the representative from Interspiro said that the issue that AFD is contending with appears to be an isolated issue.

Mayor Pro Tem Hall asked when AFD first noticed the issue. Chief Brewton replied that he was notified of the issue in late May or early June when it was escalated to him. He then went on to explain how he used the chain of command to look into the issue and work it up to him if they couldn't resolve it first.

Councilmember Dry asked what the timeframe is on resolving the issue. Chief Brewton replied that some of the parts need to be ordered and are coming from overseas and so there will be a bit of a delay in resolving the issue. In the meantime, firefighters on a call will resume the buddy-buddy system.

Council thanked Chief Brewton for his presentation.

Consider Street Closure – Sugar Hill Reunion

This is a request to close T.E. White Sr. Dr from Adelaide St. to Elizabeth St. on August 6, August 7, and August 8 from 10:00 am - 10:00 pm for the Sugar Hill Reunion. This request does not appear to meet the Council adopted policy where only governmental entities, or non-profits can have a street closed for community event, but the event organizer submitted an event application for Council consideration.

Councilmember Townsend reported that the request was approved last year by Council. This event is a get together of current and former residents of this neighborhood who come into Albemarle from all parts of the US. He attended last year and thought it was a great event. In terms of the street closure request, there is no complete blockage of streets, so emergency vehicles would be able to have access for the duration of the event. He noted that he will work with event organizers to develop an umbrella nonprofit or similar organizational structure to make this a smoother process with City Council.

Upon a motion by Councilmember Townsend, seconded by Councilmember Dry, unanimously carried, Council approved waiving the fee and closing the streets as noted above on August 6, 7, and 8th for the Sugar Hill Reunion.

COMMENTS

Councilmember Townsend:

- He thanked Public Housing staff for hosting the “Like Father Like Son” kickball tournament on Father’s Day.
- He noted that at the Bird Road entrance to Lowe’s Home Improvement Store on Highway 24/27, the wooded area by there has turned into a dumping ground and looks terrible. It seems as though this has occurred over the last week. City Manager Michael J. Ferris replied that staff will look into it.

Councilmember Hughes:

- She noted that when it rains hard, the storm drain at Leonard Avenue and East Main Street backs up and forms a big, dangerous puddle. She requested that it be fixed. The Mayor and the City Manager responded by stating that the drain there has been worked on before by NCDOT but the issue stems from the need to replace the pipes feeding that drain.

Mayor Pro Tem Hall:

- On July 29th there will 25 new students attending the OT program at Pfeiffer’s downtown campus, with 40 more PT students due in January 2022. It’s nice to see the Pfeiffer downtown campus coming along and growing.
- Re: dumping – she has noticed tires have been dumped down the bottom of the hill along Rock Springs Road. The Mayor added that there are potholes over by Rock Springs and Wiscasset.
- She thanked all who came out for Food Truck Friday in July. The August 6th Food Truck Friday will have a Motown revue band headlining.
- She thanked police for their presence at the 4th of July event in Oakboro.

Councilmember Whitley:

- He gave kudos to Parks and Recreation for their maintenance of City Lake Park.

- He was at home recently when the power went off but noticed that Public Utilities Electric Division crews came out quickly and restored power within a series of minutes. Those guys are on the ball.
- Re: Pee Dee Avenue former salon building – is that process moving forward for the parking lot? City Manager Michael J. Ferris replied that the parking lot design is being drawn as though the building will not be there. He added that the project is being designed in two phases. In the first phase the development of the lot is being designed for the existing space and identification of the right of way is being considered. LKC Engineering is designing what the parking lot would look like without the salon there. They have indicated that a no-rise certificate may be needed. Once the design is complete, staff will come back to Council on various uses and costs for the building formerly housing the salon for consideration of next steps.

Councilmember Dry:

- In 2016 the Army Corps of Engineers looked at grading City property on 24/27 but there has not been any work performed. He is looking to obtain the name of the individual at the ANG responsible who could potentially get the project back online.
- He has been in contact with the Jordan family on 2 downtown properties in which they are interested. He advised Council and the public to hang on for another month for an announcement about them.

The Mayor announced that with the pace of the meeting Council neglected to finish its deliberations on the R-10 to R-8 rezoning request (ZMA 21-08) for Tax Parcel 13390 of approximately 60.83 acres northwest of the intersection of Northeast Connector and Badin Road. Planning and Development Services Director Kevin Robinson and City Attorney Britt Burch jointly noted to Council that the Council motion to deny the rezoning request should be in the format to include a rationale and statement about consistency or inconsistency with either the 2028 Future Land Use Plan or some other factor.

The Mayor called for a motion to rescind the original Council motion to deny the rezoning request from earlier in the meeting.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, unanimously carried, Council approved rescinding their original motion on the R-10 to R-8 rezoning request in Ordinance 21-25 which included Map Amendment ZMA21-08.

Council briefly discussed and agreed that the rationale for not wanting to move ahead with the rezoning request is due to the fact that the parcel in question would not be consistent with neighboring parcels which are all zoned as R-10.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, with a vote of 4 Council members for the motion and 2 Council members against the motion, Ordinance 21-25

containing Map Amendment ZMA21-08 was declared inconsistent and not approved per the adopted inconsistency statement:

The Albemarle City Council finds the action to amend tax record 13990 from R-10/General Residential District to R-8/Neighborhood Residential District to be inconsistent with neighboring parcels. Council finds the neighborhood residential district zoning on this parcel not to be reasonable and in the public interest.

Council members voting for the motion were: Hall, Dry, Hughes, and Aldridge. Council members voting against the motion were Townsend and Whitley.

CLOSED SESSION

Upon a motion by Councilmember Aldridge, seconded by Councilmember Whitley, unanimously carried, Council approved moving into closed session pursuant to N.C.G.S. 143-318.11(a)(3) Legal, N.C.G.S. 143-318.11(a)(5) Real Estate, and N.C.G.S. 143-318.11(a)(6) Personnel.

RETURN TO OPEN SESSION

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hughes 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)(3) Legal, N.C.G.S. 143-318.11(a)(5) Real Estate, and N.C.G.S. 143-318.11(a)(6) Personnel. There was nothing to report.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hughes, unanimously carried, the meeting was adjourned to Monday, August 2, 2021 at 6:30 pm in City Council Chambers.