

REGULAR MEETING CITY COUNCIL

December 6, 2021

The City Council of the City of Albemarle met in a regular session on Monday, December 6, 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, Dexter Townsend, and Shirley D. Lowder.

Mayor Michael called the meeting to order.

The Mayor gave the invocation.

Upon a motion by Councilmember Hughes, seconded by Councilmember Aldridge, unanimously carried, the minutes of the November 4, 2021 strategic planning session and November 15, 2021 regular and closed meetings were approved as submitted.

PUBLIC HEARINGS

Ordinance 21-52 – Text Amendment Request to Allow Indoor Climate Controlled Storage in the Central Business District

Council continued a public hearing from November 15th to consider a request by petitioner John Carr for a Text Amendment to Section 92.100(C) to allow “indoor, climate-controlled storage utilizing pre-existing construction with indoor parking to accommodate projected visitors and employees.”

Planning and Development Services Department Director Kevin Robinson presented the text amendment request and staff analysis to Council. Staff recommends that if the request is granted that the language of the text be amended to:

“(8) Indoor, climate-controlled storage facilities which are accessory to and secondary in both location and size to the primary uses of pre-existing buildings with on-site parking to accommodate projected visitors and employees. Signage and exterior changes to the building shall not significantly alter the building or site and shall be approved by the Historic Preservation Commission or City Council, when not located in the local historic district.”

On November 4th, 2021, the Planning Board heard this request. The Planning Board recommended approval of the above text amendment to 92.100(C) Central Business District (CBD) to include the above use as a Special Use within the zoning district. They did recommend that City Council

create a specific hours of operation condition with the use, with the hours of use being determined by City Council.

The Mayor asked if Council had any questions. If Council passed this text amendment would the ordinance change apply elsewhere in the CBD? Yes – if Council passes the ordinance tonight a business would then have to request a Special Use Permit (SUP) and ask Council to consider and approve the 5 criteria associated with a SUP. What is the breakdown of downtown businesses inside and outside of the historic district? About 80% of downtown businesses are located in the historic district, with 20% falling outside of it. Is the property in question in the historic district? Yes it is.

The Mayor called for the public hearing to be opened and asked if anyone would like to speak on the topic. The petitioner John Carr came forward to speak to Council about his request. He summarized the current condition of the surrounding neighborhood of the building, and his plan for upgrading the building to fit into the future vision of the downtown, noting that building improvements would be subtle to fit into the neighborhood once it upgrades. He emphasized that due to the potential for influx of renters and homeowners in the near future residing in places which do not have storage space, indoor storage will become an important need.

The Mayor asked if Council had questions for Mr. Carr. How many storage spaces will be available in the basement of the building should Council approve the request? There will be a variety of sizes available from small to large in that space. The storage area also will not have windows and so will be uniquely suited for the use.

What kind of parking is located around the building? Currently there are 2 parking lots surrounding the building. SNAP employees will only take a few spaces and so there will be many spaces open for use. Mr. Robinson interjected by reminding Council that issues such as parking would be applicable to discuss should the request move to the Special Use Permit stage. Only the change of wording to the Code of Ordinances is applicable with the current request before Council.

Can this request move forward without the text amendment? No – the text amendment is a necessary first step.

The Mayor asked if anyone else wanted to come forward. No one else came forward to speak.

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

A motion was made by Councilmember Townsend, seconded by Councilmember Aldridge, to approve Ordinance 21-52 which includes Text Amendment 21-04 with the following consistency statement:

The Albemarle City Council finds the action to amend the text of the City's Zoning Ordinance to allow this type of business in a Central Business District as a special use.

The Mayor began the vote count. Councilmember Dry asked if the hours of operation recommendation needed to be included in the motion. The Mayor acknowledged Councilmember Dry's question and replied that hours of operation would be considered during the Special Use Permit hearing, unless Council wanted to consider adding that to all text amendment requests of this type in

the future. Council briefly discussed the issue, and the majority of the body felt that considering each request separately rather than a blanket requirement would be appropriate.

The Mayor called for the vote count again. Councilmembers Townsend, Aldridge, Dry, and Lowder voted for the motion, and Mayor Pro Tem Hall, Councilmember Hughes, and Councilmember Whitley voted against the motion. The motion was carried with a vote of 4 Council members for the motion and 3 against the motion.

[Ordinance 21-52 – Text Amendment Request to Allow Indoor Climate Controlled Storage in the Central Business District]

ANNOUNCED DELEGATIONS

Phillip Speight, North Stanly High School – To Request Pole Donation and Installation

Mr. Speight came in front of Council to present the school’s request. Representatives from North Stanly High School are requesting the City donate and install a pole at North Stanly High School on the third base side of the softball field in order to install safety netting for fans and students. The high school will hang the netting after pole placement. Stanly County Schools is providing the netting.

There was brief discussion between Council and Mr. Speight as to whether this request came in front of Council before. This was originally to be considered in spring 2021 but the softball coaches subsequently realized that the request had not been vetted by the school and Stanly County Schools. This process now has been completed in order to be presented in front of Council tonight.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Dry, unanimously carried, Council approved the donation of a pole and its installation for the softball field at North Stanly High School.

After the vote there was a brief discussion of the size of the pole needed. Public Utilities staff will work with the high school to provide the correct pole size.

Paul Childress to Request the City to Abandon Snuggs Street an Unopened Right of Way

The Mayor announced that since Mr. Childress was not present Council will table the item and move to the next item on the agenda.

Robert Shaver to Request the City to Abandon a Portion of an Unopened Right of Way

Mr. Shaver came in front of Council to discuss the portion of right of way that bisects two properties he owns, 1312 and 1314 Pennington Road. His request is for the City to abandon its interest in the right of way. The City does not have any utilities located in this area, and does not see a need to retain this unopened right of way. Council was provided a memo from Development Coordination Specialist Jay Voyles summarizing Mr. Shaver’s request. If City Council wishes to proceed with the request, the attached Resolution can be adopted to set a public hearing for January 18, 2022.

Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, unanimously carried, Council adopted Resolution 21-54 to move the request forward in a public hearing at the January 18, 2022 meeting.

[Resolution 21-54 – Intent to Abandon Allendale Street As a Public Right of Way]

ADMINISTRATIVE REPORTS

Mr. Durham Lewis – To Present the FY 2020-21 Albemarle ABC System Audit

Mr. Lewis was not present so Council tabled this item.

Pavement Condition Study

City Manager Michael J. Ferris and Public Works Director Ross Holshouser introduced the item to Council and then introduced Steve Lander, Director of Pavement Maintenance with WithersRavenel, to present the study report to Council. Council approved funding for a new Pavement Condition Study in FY 21-22. This is an assessment of all City maintained streets in the corporate limits.

Mr. Lander made his presentation to Council. He provided his and his firm's credentials and briefly summarized that he and one of his staffers drove every single road within corporate City limits and agreed upon a rating for each road. He then outlined the methodology that factored into rating the roads. Their assessment found that the City has an overall Pavement Condition Index (PCI) score of 64 which rates City street conditions in the poor category.

Mr. Lander then outlined the costs of maintaining and improving City roads, noting that the current City outlay of \$400,000 budgeted annually would not allow the City to effectively improve road conditions and move beyond the poor road condition rating if that amount was applied over a 10-year period. The estimated cost annually that WithersRavenel is recommending currently is \$1.4 million.

Mr. Holshouser noted to Council that the Public Works Department is requesting that Council weigh in with their recommendations on how to allocate the current budgeted amount for road repair/improvement. Continuing with the 50/50 division of funds to address preservation and rehabilitation has been the plan used in recent years. When City Council designates how the funds are to be used as they have in the past, staff will return to a future meeting with the streets to be addressed based on the study and division of funds.

Since the last study, the City has significantly increased funding for street preservation and maintenance, but has only been able to hold the overall rating in the same general area as the previous report. Municipalities across North Carolina face the same challenge. Municipal roads are for all to use, and Powell Bill funding is not sufficient to support the demands.

Mr. Lander and Mr. Holshouser took questions from Council. How will the road work plan be formulated? The Agile Assets software program will compute the work plan. There was a

discussion between Council and Mr. Holshouser about the worst streets in the City and what it cost to address them.

Council, Mr. Lander, and Mr. Holshouser also discussed the City's use of microsurfacing, its impact on road condition preservation, and why it's not a popular option among other municipalities, as well as possible options for budgeting and financing a larger budget for street preservation and improvement.

The Mayor and Council discussed and agreed to allow WithersRavenel and Public Works continue with the road condition assessment and work plan development as recommended.

Council thanked Mr. Lander for his presentation.

Adam Kiker, LKC Engineering – To Provide an Update on Projects

Adam Kiker, LKC Engineering, came in front of Council to provide status updates for projects and activities LKC is working on for the City.

He reviewed the Wastewater Treatment Plant rehabilitation project and discussed next steps. LKC Engineering had submitted engineering reports for the project to NCDEQ and is currently awaiting feedback from the agency. Right now the overall cost of project has increased from \$16,782,000 to approximately \$19,385,000, largely due to increased cost of materials and supply chain issues being experienced industry-wide. They estimate the design phase will begin in early 2022.

He also reviewed various water supply and sales issues including discussions with CKA, Stanly County, and the Handy Sanitary District. The firm will be finishing its evaluation in the next few months. Due to the addition of the Handy Sanitary District's upcoming request, along with requests for increased capacity from other entities, LKC is recommending the City engage a financial consultant to assist with the bulk of the purchase agreements.

He entertained questions from Council. Will there be any additional construction needed based on the increased demand for water in the firm's estimation? Mr. Kiker replied that current structures are capable of handling the 15 MGD capacity increase without needing any additional structures built.

Council thanked Mr. Kiker for his report.

David Best, Stogner Architecture – Change Orders for the Renovation of Fire Damaged Units in Public Housing

Interim Public Housing Director Garry Lewis introduced David Best with Stogner Architecture. Mr. Best came in front of Council to review the change order for repairs to units from last year's fire. The units at 1441 - 1447 Inger Street are currently under repair for fire damage. The Change Orders will replace a water supply line, and repair additional framing and brick ties.

The water line replacement has been requested by Housing staff to address an existing maintenance issue by relocating a water line from under a section of the unit slab for improved future access. The framing repair & brick ties are recommendations that were unforeseen until now. These issues were exposed due to the fire and could not be seen prior to demolition. These are needs

identified which are unrelated to the fire that should be addressed for structural safety while construction is in progress.

The architectural and construction cost of these changes total \$22,065.40 and will be drawn from existing capital fund program money. There does remain a \$12,000 contingency for the project, which if unused will be returned to the City. The contingency remains in place to address potential smaller issues that could arise as the project continues.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall, unanimously carried, Council approved change orders #001, #002, and #003 for renovation of units at 1441 - 1447 Inger Street destroyed by fire in 2020.

Marilyn Wells and Tim Owens – Update on Waste Management Collection Services

Ms. Wells, Mr. Owens, along with Pat Kalemba, Senior District Manager, provided Council with an update on collection services per City staff's request.

Ms. Wells outlined a few reasons for WM's change in service in recent months. There is a nationwide shortage of CDL drivers currently due to the impact of COVID, but she noted to Council that the regional office noticed the trend last year and began overhiring CDL drivers in order to fill in and backfill when main drivers are out. This past fall, 3 experienced WM drivers assigned to Albemarle routes went out on extended medical leave at the same time, so they had to train 3 drivers to take over the routes. They have used signing bonuses and other incentives to attract CDL drivers to join WM operations here.

Another issue WM is contending with is supply chain shortages which impacted parts for the big plastic garbage and recycling bins WM supplies residents. The supply chain issue has now corrected and so WM should be able to handle residents' needs.

Regarding leaf collection, WM fell one day behind schedule over the past week, and had the compounding issue of massive leaf fall at this time. They have added trucks and as of today have finished through Zone 8 after running trucks over this past weekend.

Recycling remains on schedule. Ms. Wells recounted that WM recycles 1, 2, and 5 plastics, cardboard, glass, metal containers, newspapers, magazines and the like. Some residents have complained to Council that every other week is not enough for the volume of recycling they have. Ms. Wells suggested that each household that needs a second bin should request one from WM, rather than WM changing the collection schedule again.

Council and staff broached the subject of issues with customer service in the local office, where residents have called the local line and don't get callbacks, and therefore are calling City staff and Council to intervene. Ms. Wells replied that they have provided back up for the local office contact, and will offer temporary assistance if needed if the problem persists.

Multiple Council members and City Manager Michael J. Ferris all requested that WM make issues known more quickly so that information can be distributed expeditiously to residents of collection schedule changes and other issues, which would go on social media and help inform City staff

of any problems and how they will be addressed. Also WM could work on improving communications with the public overall.

Council thanked the WM contingency for coming in front of Council on short notice to address various issues.

MUNICIPAL CALENDAR

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

NEW BUSINESS

Consider Approval of Major Subdivision 21-07 – A 261 Lot Townhome Cluster

Subdivision

Planning and Development Services Director Kevin Robinson came in front of Council to present the request and staff analysis. A review and analysis from the Planning Department was provided to Council prior to the meeting. At the August 2nd, 2021 City Council meeting, City Council approved both an annexation ordinance for 55.33 acres and an initial zoning of the property into the R-6 Urban Residential zoning district. The general location of the property is at the end of Leonard Ave behind Olive Place Shopping Center and near the end of Henson Street, in close proximity to Woodhurst Lane. This development is comprised of multiple housing types.

Avion is a large development consisting of a 261 lot townhome cluster subdivision, a 360 unit multi-family complex and a 155 unit active adult living center. Highlights of the staff analysis include:

- Access – Primary accesses to this development are proposed through the extension of Leonard Avenue into the site as well as a full access off of Henson Street. Several stub-out connections for future growth and connectivity spread throughout the site. There are two stubs at the western property line both at the north end “Road A” and south end of the development near “Road F”.
- Open Space – The total amount of open space provided is in the townhome cluster subdivision is 11.70 acres. There will be 5.72 acres of remaining green space.
- Traffic Analysis – A traffic impact analysis was required of this development. Staff and NCDOT both agree that the replacement of commercial outparcels with additional dwelling units is an overall decrease in intensity of daily trips for the purposes of the TIA. recommendations are as follows: Construction of a southbound left-turn lane along Leonard Ave with 125 feet of storage; construction of Access 1, at or near the Enforge driveway on Henson Street, to include a single ingress lane and a single egress lane with stop control and NCDOT’s minimum 100-foot internal protected stem; construction of Access 2, at or near the Albemarle Paper Supply driveway on Henson Street; construction of Access 3, Leonard Avenue into the site, construction of Access 4, Leonard Avenue at the southern end of the site to be outfitted with the same conditions previously stated.

- Utilities and Topography – The developer proposes to extend City water, sewer and electric service to serve the proposed site.
- Setbacks – The developer has shown setbacks as 10’ in the front, 8’ on the sides with an exterior wall, 18’ on the side adjacent to a street and 12.5’ in the rear which is compliant with the yard requirements for townhomes in cluster subdivisions.
- Lot Sizes – The developer has proposed the minimum lot size in the development to be 1,815 square feet and an average lot size of 2,312 square feet.

The Planning and Zoning Board unanimously made a favorable recommendation to City Council to approve the 261 lot townhome cluster subdivision. Since the Planning and Zoning Board meeting, the plat was revised to relocate the southwestern portion of the development, lots 173-236, to accommodate on-site storm-water retention. The developer was still able to provide connectivity to adjacent parcels should future development take place.

Staff is requesting that Council consider approval of the townhome subdivision portion of the development. Staff is recommending Leonard Avenue through the site be continued as a four lane roadway into the development and then changed to a 3-lane roadway, as this will connect to the Albemarle Business Center. Leonard Avenue has been intended to be a primary route in and out of the Albemarle Business Center. Finally, staff would recommend that Council make the receipt of covenants and deed restrictions a condition for approval.

Staff entertained questions from Council. How will industrial traffic be handled? Staff and Council discussed different options due to the volume that would occur due to the retail shopping center nearby and its proximity to the Albemarle Business Center. Staff would recommend that the new road to be built by Henson Street be used for heavy traffic.

Upon a motion by Councilmember Hughes, seconded by Councilmember Townsend, unanimously carried, Council approved Major Subdivision 21-07, a 261 Lot Townhome Cluster Subdivision with the added conditions of the 4 lane roadway to 3 lanes continuation on Leonard Avenue, and inclusion of covenants and deed restrictions.

Consider Approval of Subdivision for a 155 Unit Active Adult Living Center

Planning and Development Services Director Kevin Robinson came in front of Council to present the request and staff analysis. A review and analysis from the Planning Department was provided to Council prior to the meeting.

This item is to consider approval of the 155 unit active adult living center.

At the Planning and Zoning Board meeting, the Board unanimously made a favorable recommendation to City Council to approve the 155 unit Active Adult Living Center with the condition that the parcel size be increased to meet the lot size requirements for multi-family. The developer has since made this revision. Staff believes the proposal meets all ordinance requirements for multi-family development in the City.

Upon a motion by Councilmember Hughes, seconded by Councilmember Dry, unanimously carried, Council approved the 155 unit active adult living center portion of the Avion subdivision.

Consider Approval of Avion Site Plan for a 360 Unit Multi-family Complex

Planning and Development Services Director Kevin Robinson came in front of Council to present the request and staff analysis. A review and analysis from the Planning Department was provided to Council prior to the meeting.

This item is to consider approval of the 360 unit multi-family portion of this development. The Planning and Zoning Board unanimously made a favorable recommendation to City Council to approve the 360 unit multi-family proposal. Staff believes the proposal meets all ordinance requirements for multi-family development in the City.

Upon a motion by Councilmember Townsend, seconded by Councilmember Aldridge, unanimously carried, Council approved the 360 unit multi-family portion of the Avion subdivision.

Discussion of the Replacement of Radios

City Manager Michael J. Ferris introduced this item to Council. This item was first raised at the November 15th meeting. There are changes being made to the radio system within the county and regionally. These changes impact the future operability of our current radios. As noted at the November 15th meeting, Mr. Ferris took this issue before the ARPA Workgroup, as ARPA funding provides a tremendous opportunity to address the need without significantly impacting our annual operating budget and established plan. The ARPA Workgroup did not make a formal recommendation to Council regarding the potential use of ARPA funds to address the radio needs.

The radio purchase would be a good use of ARPA Funds, if eligible. This would address a public need that if not supported by ARPA proceeds, would have to be addressed in a future City budget. Since an overwhelming number of radios are for Police and Fire, this would be an expense taken on by the General Fund and potentially impact the timing of other initiatives.

Albemarle Fire Chief Pierre Brewton and Fire Marshal Michael Roark came in front of Council to provide more detail about this issue and to answer questions from Council. Fire Marshal Roark summarized the background of how the City came to know about the issue, the technical aspects of the radios the City currently has and the ones they need, and the rationale of why the City ultimately will need to replace the radios over the course of the next few years. They took questions from Council.

Council noted that it seems like they approved the purchase of radios a short time ago. Will all radios need to be replaced? No – just Police and Fire radios due to the multiple channels feature they need to have, which is not needed on other City radios like those used in Public Works or Public Utilities. What will be done with the soon-to-be replaced radios? Some will be kept on hand as a cache of spares. Are the radios that are being recommended being used by the County? Yes they are.

Council and staff discussed the ARPA Workgroup discussion about this request, and the uncertainty around use of ARPA funds for this type of need until the final ruling from the IRS comes out.

There was no Council action taken on the item.

Authorization for Heating Repair at EE Waddell Community Center

Parks and Recreation Director Lisa Kiser and Todd Sullivan, Park Superintendent came in front of Council to present the request. The boiler at the EE Waddell Community Center has stopped working. The boiler provides heat to the rooms in the Community Center. At this time, the Community Center does not have heat in each of the rooms.

- Option 1: Dismantle and re-gasket current boiler. The estimated cost for dismantling and re-gasketing is \$18,500.
- Option 2: Install ductless mini splits in each room at the EE Waddell Community Center. These ductless mini splits are the same type of heating and cooling units that are used in the Albemarle Neighborhood Theatre. The estimated cost for installing mini splits is \$36,000.

Staff is recommending Option #2 based on the age of the boiler and the unknowns. The true extent of the issue will not be known until the boiler is taken apart. Also, a new issue could arise after a repair to the boiler to address the current issue is made. Going with the new system is more expensive, but we believe provides for a better long-term solution for a facility that has had significantly greater use in recent years.

Does this need to go out to bid, and if so has Parks and Recreation obtained quotes yet? Two quotes have already been obtained and they are awaiting a third, as the center is used frequently and staff and guests need heat.

Upon a motion by Councilmember Dry, seconded by Councilmember Townsend, unanimously carried, Council approved option 2, the mini splits heat system installation for the EE Waddell Community Center.

Extending Incentive for Proof of Vaccination

On September 7, Albemarle City Council authorized 2 days of vacation time for all fully vaccinated employees or those choosing to be vaccinated. As of 11/30/2021, 35% of employees have provided proof of vaccination. Human Resources is requesting that City Council authorize an extension of the incentive. Any employee providing proof of full vaccination would be provided with 2 days of additional vacation. This extension would not apply to those employees who have previously provided proof of vaccination.

Council asked for what period the extension would be held over, or would staff want to leave the extension of the incentive open ended. Ms. Chaney noted that the federal mandate would not go into effect until the end of January 2022, and so would like this incentive to potentially increase the employee vaccination rate until this deadline. So the incentive would be extended from now until the end of January 2022.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, and carried with a vote of 6 Council members for the motion and 1 Council member against the motion, Council approved the extension of the vaccination incentive to employees through the end of January 2022. Councilmember Dry voted against the motion.

Consider Appointment of Delegate and Alternate to the Centralina Regional Council Board of Directors

Centralina Regional Council is seeking appointments to the Board of Directors for 2022. Mayor Pro-Tem Hall is our current delegate and Councilmember Whitley is our current alternate.

Upon a motion by Councilmember Hughes, seconded by Councilmember Aldridge, unanimously carried, Council approved the reappointment of Mayor Pro Tem Hall as the delegate and Councilmember Whitley as the alternate for the Centralina Regional Council Board of Directors.

Introduction of David Fath as Public Information Officer

City Manager Michael J. Ferris introduced David Fath. Mr. Fath has been hired as the City's first Public Information Officer. The City's strategic planning activities are focused on the future to address the feedback from our recent community survey and the growth we are experiencing. Mr. Fath will work to share the City Vision and Mission.

Mr. Fath came in front of Council to introduce himself and make a few remarks. He first stated that he is grateful for the opportunity to be here. His background has been in broadcast news in a variety of positions, which he plans to leverage for his work here. He sees the role of Public Information Officer as one of a storyteller, and he is excited at the chance to tell the City's story. He noted that when he first came on last week, he made a video of the Christmas parade and uploaded it to social media to showcase what a wonderful event it was. He intends to highlight the good work City employees and Council do for the good of the City of Albemarle.

Council gave Mr. Fath a hearty welcome and told him they are glad he is here.

COMMENTS

Councilmember Hughes:

- She commented how fantastic the Christmas parade was and how many people showed up for it.

Councilmember Aldridge:

- He had a great time at the Christmas parade.
- He gave condolences to Police Chief Bollhorst on the loss of his mother.

Mayor Pro Tem Hall:

- Tomorrow morning the City will be kicking off its United Way giving campaign for employees.
- This Thursday December 9th the Stanly County Concert Band will perform a Christmas concert at Central United Methodist Church starting at 7:00 pm.
- There are 2 events this coming Saturday 12/11: the Light the Night fundraiser in memory of former APD officer Donna Harwood sponsored by OASIS at YMCA Park (venue changed to Market Station); and the Stanly County Concert Association is hosting “Music City Christmas” at 7:30 pm.
- Per the City’s Manager’s announcement of the ending of the contract with Nyki Hill (Hardy), is there a list of projects and City staff resuming responsibility for these projects? The City Manager will make that available to Council.

Councilmember Whitley:

- He announced that there are pickleball courts at Rock Creek Park.

CLOSED SESSION

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, unanimously carried, Council approved moving into closed session pursuant to N.C.G.S. 143-318.11(a)(1) to prevent the disclosure of confidential or privileged information, N.C.G.S. 143-318.11(a)(3) consultation with the City Attorney, 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 Lowder, 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)(1) to prevent the disclosure of confidential or privileged information N.C.G.S. 143-318.11(a)(3) consultation with the City Attorney, N.C.G.S. 143-318.11(a)(5) Real Estate, and N.C.G.S. 143-318.11(a)(6) Personnel.

The Mayor called for a motion to accept the settlement with Cindy Purser residing at 709 East Street in Albemarle, which includes \$1,000 payment and removal of two trees on the City’s sewer line right of way.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Dry, and unanimously carried, Council approved the settlement agreement.

The Mayor announced that the City will hold a strategic planning session on Monday, December 13, 2021 beginning at 4:00 pm in the Central United Methodist Church's Fellowship Room.

Upon a motion by Councilmember Dry, seconded by Councilmember Aldridge, unanimously carried, the meeting was adjourned to Monday, December 13th at 4:00 pm at the Central United Methodist Church Fellowship Room on 172 North Second Street for a strategic planning workshop, followed by a closed session for Personnel back at City Hall.