

REGULAR MEETING CITY COUNCIL
April 2, 2012

The City Council of the City of Albemarle met in a regular session on Monday, April 2, 2012, at 7:00 p.m. in the City Hall. Mayor Elbert L. "Whit" Whitley presided, and the following Councilmembers were present to-wit: Troy E. Alexander, Martha Sue Hall, Judy Holcomb, Ronnie Michael, Jack F. Neel, Dexter Townsend, and T. Ed Underwood. Absent, none.

Mayor Whitley called the meeting to order.

Councilmember Townsend stated that he would like a clarification statement be reflected in the March 19 minutes that he is not advocating multiple locations for sexually oriented businesses. Instead, he thinks the City needs to find another location for these types of businesses because the location of Bird Road is in an industrial development. The City needs to find locations for these types of businesses outside the industrial development areas.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the minutes of the March 19 regular session were approved as amended.

A public hearing was held to consider a recommendation by the Planning Board to amend Ordinance 11-35 which regulates locations for collecting clothing and other items for charity.

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

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the following resolution was duly adopted.

(Resolution 12-12. to amend Ordinance 11-35 which regulates locations for collecting clothing and other items for charity.)

Upon a motion by Councilmember Alexander, seconded by Councilmember Townsend, and unanimously carried, an Ordinance entitled (Ordinance 12-14) “AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALBEMARLE, NORTH CAROLINA TO DEFINE AND REGULATE DONATION DROP BOXES AND OTHER COLLECTION RECEPTACLES AS A CONDITIONAL USE IN THE CITY’S GENERAL HIGHWAY BUSINESS DISTRICT.” passed first reading.

Ms. Elaine Nelson, Chairman, Albemarle Tree Commission came before City Council as an announced delegate to present to the Mayor and City Council an award from the National Arbor Day Foundation for five consecutive years of achieving the Tree City USA designation. The City Manager noted that Ms. Nelson is the Chairman of the Tree Commission, and she and the other Tree Commission members work hard to promote the value of trees in our urban environment. Ms. Nelson paid for large ads in the Stanly News and Press recently to educate residents about the negative consequences of improper tree trimming. Toby Thorpe serves as the primary staff liaison to the Tree Commission, and he prepares the City's annual TCUSA application with assistance from Mike Lambert and Ellen Huntley.

Mr. Raynard Parker came before City Council as an unannounced delegation to request a peddler license for a mobile food unit and hotdog cart. Mr. Parker answered any questions that Council had.

Upon a motion by Councilmember Holcomb seconded by Councilmember Underwood and unanimously carried, the City Council approved a peddler license for Raynard Parker for a mobile food unit and hotdog cart.

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

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

(Ordinance 12-12. To amend FY 2011-2012 budget.)

(Ordinance 12-13. To Adopt a Grant Project Budget Ordinance relating to the Biosolids Handling Study.)

The Mayor and City Council received updates to the Public Housing FY 2012 - 2016 Five Year agency plan prior to the public hearing that will be held April 5, 2012 at the Amhurst Gardens & Elizabeth Heights apartment complexes. The City Manager noted that HUD awarded the 2012 Capital Fund Grant \$264,556 in February 2012 and the budget was presented to City Council at the February 20th City Council meeting.

Public Housing Director Garry Lewis answered questions that Council had concerning the updates before the hearing on April 5, 2012. The Department of HUD, Greensboro Regional Office representatives conducted a management review of the conventional program and several items required attention:

- 1) Incorporation of HUD's definition of the income
- 2) Addition of non-compliance to the satellite dish policy with the resident's signature.
- 3) Incorporation that any past due amounts owed to the City must be paid in full before receiving assistance (Section 8 voucher or a public housing unit.
- 4) Public housing rent increases shall be effective upon completion of annual reexamination schedules only.
- 5) inclusion of the HUD required Earned Income Disallowance (EID) policy for (Section 8 and Public Housing programs); the

dwelling lease has been revised to correct wording pertaining to rent increases will be considered at annual reexamination only; and the dwelling lease was corrected to include a non-refundable pet fee of \$150; the dwelling lease was amended to include a \$25 refundable deposit before having a dish installed.

Mr. Lewis stated that he will bring the updates back to City Council on April 16, 2012 along with a board resolution asking Council to approve the agency plan prior to submission to HUD.

Upon a motion by Councilmember Townsend, seconded by Councilmember Underwood, and unanimously carried, an Ordinance entitled (Ordinance 12-15) "AN ORDINANCE TO AMEND 2010 GRANT ORDINANCE 10-34 AND ORDINANCE 11-6 PUBLIC HOUSING CAPITAL FUND." passed first reading.

The Mayor and City Council considered a public hearing to consider condemning and authorizing demolition of the structure at 412 Colston Street. City Council received a memo from Assistant City Manager Michael Ferris who is coordinating this matter.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Townsend and unanimously carried, the City Council set public hearing for May 7 to consider condemning and authorizing demolition of the structure at 412 Colston Street.

The Mayor and City Council considered any addition to the 2011/2012 street resurfacing list. The City Manager noted that the Streets Division of Public Works has completed resurfacing projects under budget and requests direction for additional projects to the current list. It is their

recommendation that we adjust the limits of resurfacing on Melchor Rd. to extend northerly to the intersection of Park Ridge Rd.

Public Works Director Mike Lambert came before City Council and stated that Council received his memo of the street resurfacing schedule for FY 2011-12 and eight streets had been completed under budget and with additional funds remaining recommended the street division pave Melchor Road from the bridge to Park Ridge Road.

Councilmember Neel recommended paving Colonial from Melchor Road all the way to Smith Street instead of just to Northcrest Drive.

Mr. Lambert stated that there should be enough remaining funds to do both, but costs would be close and he will do an estimate.

Councilmember Townsend asked Mr. Lambert what it would cost to pave around 120 yards of graveled road on Midwood Drive. Mr. Lambert did not know but could prepare an estimate. Mr. Lambert stated that if Council chose in FY 2012-2013 for a graveled street to be paved then Midwood Drive would be a good choice.

Mr. Lambert answered any questions that Council had.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the City Council approved adjusting the limits of resurfacing on Melchor Rd. to extend northerly to the intersection of Park Ridge Rd and come back before City Council with an estimate of paving Colonial Drive from Melchor Road to Smith Street.

The Mayor and City Council considered approval of engineering services for the US 52 Water Treatment Plant. The City Manager noted that this plant is over 60 years old and many of its components are original to the plant. In addition, the building is beginning to experience structural issues which will need to be addressed in the future. These studies will evaluate the plant to help determine what direction we need to take on plant improvements. The cost of these studies will be paid by shifting funds from other lines items in the current budget.

Ms. Ellen Huntley came before City Council requesting approval to proceed for engineering evaluations of the process components and structure of the

52 plant. She stated that it should be around one month from notice to proceed until receiving the final report and drawings from Fleming & Associates, P.A. for the structural changes at a cost of \$22,000 and a Professional Engineering Report will take around two months preparation once notice to proceed from Hobbs, Upchurch & Associates, P. A. at a cost of \$12,000. Both of these can be done out of current year appropriations. Ms. Huntley answered any questioned that Council had.

Upon a motion by Councilmember Hall, seconded by Councilmember Neel and unanimously carried, the City Council approved engineering evaluation services for the US 52 Water Treatment Plant for a total cost of \$34,000.

The Mayor and City Council considered designation of City Tax Collector. The City Manager noted that Elizabeth Boyle resigned from the City and her last day was March 27, 2012. The City is required to have someone named Tax Collector and Finance Director Colleen Conroy has recommended that Susan Bailey be designated by City Council as interim tax collector.

Upon a motion by Councilmember Michael, seconded by Councilmember Holcomb and unanimously carried, the City Council approved designating Susan Bailey as interim tax collector.

The Mayor and City Council reviewed a report on the 2012 NLC Congressional City Conference that Councilmember Townsend presented on this conference.

The Mayor and City Council were reminded of the Household Hazardous Waste/Electronics Recycling Event sponsored by Stanly County and the City of Albemarle Public Works Department. This event will be held at the Agri-Civic Center on Saturday, April 14 from 9 am to 1 pm.

The Mayor and City Council were reminded of the City Wide Cleanup. This event is sponsored by the Albemarle Community Appearance Commission and the Planning and Community Development Department and will take place April 9 through April 14.

The Mayor and City Council were reminded that City Offices will be closed on Friday, April 6, 2012 in observance of the Good Friday holiday.

Councilmember Holcomb reported to Planning and Community Development Director Keith Wolf that the burned home on Wendover Avenue has 2 blankets in the carport and wanted to let him know.

Upon a motion by Councilmember Underwood, seconded by Councilmember Alexander and unanimously carried, the Mayor and City Council adjourned to a closed session pursuant to NCGS 143-318.11(a) 5, 6 to discuss real estate and personnel matters.

Upon a motion by Councilmember Michael, seconded by Councilmember Underwood and unanimously carried, the Mayor and City Council reconvened to open session. Mayor Whitley announced that a closed session was held pursuant to NCGS 143-318.11 (a) 5, 6 to discuss real estate and personnel matters and there was nothing to report at this time.

Councilmember Michael stated while he was at the Home Improvement Show, someone asked him if he knew of any grants available to the elderly in purchasing a walk-in tub installation. He stated that he referred them to the Stanly County Senior Center.

Councilmember Townsend stated that in support of Autism awareness nationally and of our local GHA (Group Homes for the Autistic); the Stanly County Democratic Party is taking part in the “Light It Up Blue” campaign. Mr. Townsend stated that the City should consider doing this also. Further discussion determined the location of blue lighting at City Hall.

Upon a motion by Councilmember Townsend, seconded by Councilmember Neel and unanimously carried, the City Council approved blue lighting in the cupola at City Hall in support of Autism awareness.

Councilmember Townsend commended Fire Chief Oke on implementing a pinning ceremony for promotions in his department, and asked that in the future the members of City Council be made aware of these.

Councilmember Hall stated while at NLC Congressional City Conference in Washington, DC, she talked with delegates from Lenoir, NC about their All American City designation. She gained information on how to become this for Albemarle to consider having this designation. If not considered for 2012, to make long term plans to work toward this.

City Manager Raymond Allen stated that Assistant City Manager Michael Ferris had made a presentation at a previous Council meeting on this. Mayor Whitley stated that the costs was something that had to be considered.

Councilmember Hall commended Councilmember Neel of stating that when a Councilmember has an idea, they should make the motion for approval.

Councilmember Hall stated that recently trimming was performed by a contracted firm for the City around power lines on Anderson Road and complaints were made to Electric Division Superintendent Charles Burris and Public Utilities Director Ellen Huntley about the amount trimmed being too much when dealing with the power lines. She stated that this is a communication issue and for future cuttings, the City needs to stay in touch with the contracted firm and the property owners.

Councilmember Hall reminded everyone of the prayer breakfast on April 4.

Councilmember Hall stated that on Monday, April 30, the General Government Legislative Committee meets. She said that she is on the committee and Councilmember Neel is on the finance committee. This starts at 9 am with the legislative breakfast and the meeting then starts around 10:30 am. They anticipate 35-40 people being here for the meeting at City Hall. The NCLM will provide everything and the City is supplying the use of our facility.

Councilmember Hall stated that Chris Jones, past president of the NCLM died this morning due to a fall at his house 5 days ago. He will be missed throughout the State.

Councilmember Neel stated that he attended a NCLM Tax and Finance Legislative Action Committee meeting in Benson last Thursday that was very worthwhile. He stated that City Council needs to consider attending the NCLM meeting at City Hall on April 30.

Councilmember Alexander stated that the family of Dr. Jim Martin is in our thoughts and prayers.

Upon a motion by Councilmember Underwood, seconded by Councilmember Alexander, and unanimously carried, the City Council adjourned.