

**REGULAR MEETING CITY COUNCIL**

March 7, 2022

The City Council of the City of Albemarle met in a regular session on Monday, March 7, 2022 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.

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Mayor Michael called the meeting to order.

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The Mayor gave the invocation.

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Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, unanimously carried, the minutes of the February 10, 2022 planning and budgeting session, the February 10, 2022 closed session, and the February 21, 2022 regular and closed sessions were approved as submitted.

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**AGENDA ADJUSTMENTS**

The Mayor called for a motion to add consideration of a stage at City Lake Park as the last New Business item.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council approved the agenda adjustment.

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**ADMINISTRATIVE REPORTS**

Update on the Albemarle Business Center

City Manager Michael J. Ferris provided Council with an update on the construction phase of the ABC. On the City's project management side, at the February 7<sup>th</sup> Council meeting the electric budget for the project was approved. There will be no borrowing on the electric installation portion of the project budget. In terms of electric work, Public Utilities has completed electrical work on the Highway 52 side of the ABC, and will begin the Henson Street portion soon. Discussions to coordinate City work with NJR Group will need to take place to coordinate work there.

Per a committee meeting on February 1<sup>st</sup>, NJR Group started clear cutting last week.

For the utility easements, all easements have been obtained and payments have gone out. The City is still pursuing eminent domain legal action with the Hall property for the utility easement there.

Once the NJR Group begins construction, staff will hold construction in progress meetings, and staff will also provide Council with monthly updates during the construction phase of the project.

Update on the Status of the Alleyway Project

City Manager Michael J. Ferris provided a brief status update regarding this project. Last fall work on the project was put out for bid and bids came in too high. Last week Public Works Director Ross Holshouser spoke with the lower bidder to discuss the project scope and current costs to try to reduce or cut costs or to find additional funding. Staff will provide Council with a recommendation in the next 2 to 3 meetings.

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**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.

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**CONSENT AGENDA**

The Mayor asked if Council wanted to move any items on the consent agenda.

Ordinance 22-18 – Amending the Fiscal Year 2022 Operating Budget

The City received approximately \$88,790 from the NC Department of Commerce for a job creation grant for Enforge LLC. The amount we received from the NC Department of Commerce will pass through to Enforge.

[Ordinance 22-18 – Amending the Fiscal Year 2022 Operating Budget]

Resolution 22-07 – Retirement of APD K-9 Baly

K-9 Baly is ready to retire due to age and medical issues. APD is requesting that Council consider a resolution to formally retire K-9 Baly.

[Resolution 22-07 – Retirement of APD K-9 Baly]

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

- Ordinance 22-18 amending the FY 2022 operating budget to provide pass through incentive money to Enforge LLC; and
- Resolution 22-07 to formally retire Police K-9 Baly.

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## **NEW BUSINESS**

### Fiscal Year 2022 Audit Contract

Staff is requesting a one-time extension of the City's audit contract with Martin, Starnes and Associates. Council received the 2022 audit contract, engagement letter, and a memo from Finance Director Jacob Weavil for review prior to the meeting.

Mr. Weavil explained to Council the history of the bidding process with the City having to bid it out a second time when the current auditor was selected. The City is struggling with bids, and had found that audit firms are opting out of bidding for public auditing due to ARPA and other reasons. Finance would like to continue with the current auditing firm due to ARPA and the capital debt shifts being made, which would cause a new audit firm challenges trying to understand the City's financial history, its books, and what the City is trying to do.

Multiple Council members commented that it seems like it's closer to audit time than in past years for Finance to be approaching Council with an auditor selection. Mr. Weavil noted that he checked the process completed last year and it was around this time when staff approached Council about its choice for auditor.

Councilmember Aldridge asked if this was the 1<sup>st</sup> 3-year agreement with Martin, Starnes and Associates. Mr. Weavil replied affirmatively.

Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, and carried with a vote of 5 Council members for the motion and 1 Council member against, Council approved a one-time extension of the City's audit contract with Martin, Starnes and Associates.

Mayor Pro Tem Hall voted against the motion.

### Selection of a Voting Delegate for the 2022 NCLM CityVision Conference Annual Business Meeting

As with every NCLM CityVision conference, each member municipality shall designate one voting delegate who is eligible to cast a single vote for the 2022-2023 League Board of Directors in advance of the annual business meeting. Delegates are to be selected soon, with voting information going out to delegates around April 15th.

Council first discussed which members would likely be attending. From that group of attending members, Council supported nominating Councilmember Chris Whitley as the delegate.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council approved Councilmember Chris Whitley as the voting delegate for the City

of Albemarle to vote for the 2022-2023 League Board of Directors in advance of the annual business meeting.

Council decided that although the NCLM was not calling for an alternate delegate one should be chosen.

Upon a motion by Councilmember Whitley, seconded by Councilmember Hall, unanimously carried, Council approved Mayor Ronnie Michael as the alternate delegate for the City of Albemarle to vote for the 2022-2023 League Board of Directors in advance of the annual business meeting.

### Requests Regarding Downtown Traffic and Sidewalk Improvements for the Visually Impaired

Administration received an email from Mr. Lino Morales and his wife, who are both visually impaired, requesting that the City consider specific traffic intersection and sidewalk improvements downtown to better accommodate the visually impaired and enhance the City's response to the Americans with Disabilities Act (ADA) recommendations. Neither Mr. Morales nor his wife are able to come in front of Council personally due to limitations in traveling to, and accessing City Hall.

The Moraleses provided the following request for City Council to consider:

Our address is 127 Arey Avenue Albemarle NC 28001. My wife and I happen to be blind. I travel with a white cane and she with a guide dog. As citizens of Albemarle I am asking you as members of City Council to look into installing audible pedestrian signals (APS for short). These APS signals tell a blind or person with low vision or a deaf blind person when we get the green light to cross at lit intersections. Most major cities already have these types of signals installed. These would be very beneficial to not only those of us who are blind/low vision, but the sighted public as a whole. I would like to propose these signals at our downtown lit intersections and if possible specifically at the light located at Highway 24/27 and Leonard Avenue. I understand the light at this location is maintained by the NCDOT. If this is the case please if possible work with them to make this possible. I hope you would consider putting these needed APS signals in our growing city of Albemarle. In closing, I'd like to address the possibility of widening of our sidewalks along East Main Street. They are very narrow and in some cases sidewalks are lacking or cracked.

The Mayor noted that for the audible pedestrian signals request, the intersections downtown all involve NCDOT streets, and so NCDOT would be the entity to consider the request. Council agreed that the City should make NCDOT aware of the request and thought that the Rocky River RPO would be an appropriate forum to raise the request. Councilmember Whitley, who is the current City Council representative on that RPO TAC committee, stated that he would bring the request up at the next meeting.

Council then briefly discussed the sidewalk request. The Mayor noted that typically NCDOT should be maintaining those sidewalks too, but the City's Public Works Department does maintenance on them on NCDOT's behalf. City Manager Michael J. Ferris responded by saying that staff would need to assess the sidewalks and figure out a plan from there.

### Consider Stage Installation at City Lake Park

The Mayor brought to Council's attention that he, Mayor Pro Tem Hall, Councilmember Dry, Parks and Recreation Director Lisa Kiser, a few other City employees, and some community members got together a few Saturdays ago to discuss the possibility of installing an outdoor stage in a wooded area near the amphitheater in the park for dancing. The stage foundation would be cement with wood flooring placed over the cement, with a fence around it to keep people from falling off the stage.

What would the stage size be? The wooden planks would be 20'x 32' which would be placed over the cement foundation, and so the foundation would be approximately 22'x 34' in order to allow for the flooring and the fence along the edges. The Mayor asked the City Manager if the City could possibly install the cement foundation. Mr. Ferris replied that the City possibly could perform the work, but there were other variables which would need to be known, such as the process for installation and a cost estimate, among others. The Mayor stipulated that this discussion tonight was for Council to gauge interest in actually installing the stage, and if Council gave the go ahead, the installation of a stage would then be moved into a design phase. The City Manager noted this was not a part of the City's planned work or budget, and a budget amendment to fund this project would be needed if it proceeded.

Mayor Pro Tem Hall and Councilmember Dry both expressed that there has been a desire for a long time for residents to have an amenity like this.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitely, unanimously carried, Council approved City staff moving forward with the design and cost estimate phase of installing a stage at City Lake Park.

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### **COMMENTS**

#### Councilmember Aldridge:

- Now that the weather is warmer, he is aware that street projects will begin. Is there any way to make improvements to the section on North 2<sup>nd</sup> Street near South Street? City Manager Michael J. Ferris reminded Council that this fiscal year a street assessment survey was done and that soon Public Works will provide Council a listing of streets in different conditions and what can be repaired with the current budget. Staff may have to adjust the list if this street repair is something Council wants to prioritize.

#### Mayor Pro Tem Hall:

- Will there be an update on minimum housing burn downs and tear downs? Planning and Development Services Director Kevin Robinson replied that his department will have an update form Council at the next meeting. She then asked about a property on Wiscassett that was torn down. She noted a property near Highway 73 and Rock Springs Road which is in bad shape.

Councilmember Dry:

- Re the Winter Wine Festival – there was a great turnout for the event. There were a lot of positives holding it and the vendors were great.

Mayor Pro Tem Hall followed up on Councilmember Dry’s remarks about the festival thanking volunteers who worked the event and that they did a great job.

Mayor Pro Tem Hall also reminded the public that Food Truck Fridays are starting again, and that last Friday’s first Food Truck Friday was well attended even without live music. There were 8 vendors there. She also thanked Parks and Recreation Director Lisa Kiser and Public Information Officer David Fath for working together on flyers to send out to folks and leave in City public areas about Food Truck Fridays.

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**CLOSED SESSION**

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, unanimously carried, Council approved moving into closed session pursuant to N.C.G.S. 143-318.11(a)(3) consultation with the City Attorney, and N.C.G.S. 143-318.11(a)(6) Personnel.

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**RETURN TO OPEN SESSION**

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley 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) consultation with the City Attorney, and N.C.G.S. 143-318.11(a)(6) Personnel.

In closed session Council performed the annual performance evaluation for the City Attorney. There will be no further action taken.

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The Mayor asked Council to consider whether there should be a meeting schedule change for Council meetings over the summer for June, July and August.

Council discussed whether to leave the schedule like it currently stands or shift meetings. Council agreed to leave the schedule alone except for the July 4<sup>th</sup> date. They decided that they would have only 1 meeting in July on the 11<sup>th</sup>, but that June and August meetings would be left as is.

Upon a motion by Councilmember Hughes, seconded by Councilmember Dry, unanimously carried, Council approved the summer Council schedule, with the 2 scheduled meetings in June and August remaining the same, and 1 Council meeting in July on July 11<sup>th</sup>.

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Upon a motion by Councilmember Hughes, seconded by Councilmember Aldridge, unanimously carried, the meeting was adjourned to Monday, March 21, 2022 at 6:30 pm in Council Chambers at City Hall.