

**REGULAR MEETING CITY COUNCIL**

May 16, 2022

The City Council of the City of Albemarle met in a regular session on Monday, May 16, 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, Dexter Townsend, and Shirley D. Lowder.

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Mayor Michael called the meeting to order.

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**SPECIAL PRESENTATIONS**

Presentation of a City Retirement Certificate to Star Gaines – 30 Years of Service

The Mayor presented Ms. Gaines a plaque in gratitude for her 30 years of service in the Police Department. She retired on April 30, 2022.

Council and the Mayor thanked her for her service.

National Public Works Week Proclamation

The Mayor asked a Council member to read the proclamation aloud.

Mayor Pro Tem Hall read the proclamation aloud.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council adopted the National Public Works Week Proclamation.

Public Works Director Ross Holshouser came in front of Council to present the Public Works team and their accomplishments upon the occasion of Public Works Week. He shared gratitude for the Public Works team, noting that they were unsung heroes who are asked to do jobs no one wants to do. Present were:

- Renee Keziah
- Stephen Hartsell
- Ronnie Hatley
- Cameron Smith
- Jason Palmer
- Alex Swaringen
- Doyle Hatley
- Taylor Shepard

Council thanked the entire Public Works team for all they do for the City.

[National Public Works Week Proclamation]

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Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, unanimously carried, Council approved the minutes from the May 2, 2022 regular and closed meetings, and the May 5, 2022 special and closed meetings as submitted.

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## **PUBLIC HEARINGS**

### Receive Input on the Creation of a Stormwater Utility Program

As required by NC General Statute, Council held a public hearing in order for citizens to speak for, or against the establishment of the new utility. The Mayor noted that Council would not be taking action on this tonight, but rather would listen to those who wished to weigh in on the topic during the public hearing.

#### Background:

Dating back to June 2020, City staff along with consultants have been working diligently on constructing a Stormwater Management Plan (SWMP) for the City of Albemarle. After many staff meetings, discussions, public outreach efforts, surveys, and work sessions, the City is at the point of finalizing the adoption of a new Stormwater Utility for Albemarle.

#### Staff Recommendations to Council:

If after the public hearing City Council decides to confirm proceeding with the program as constructed and communicated, it will allow staff and the City Manager to finalize the FY22/23 budget and the Public Works staff to start taking steps to implement the Stormwater Management Plan July 1st, 2022.

If Council does not approve of the SWMP with the \$11.50 per ERU rate after the public hearing, it will require the implementation of the SWMP to be postponed from July 1st, 2022 to a future date. Any discussion or decision of a different rate, or start date, will take follow-up meetings with City Council, Consultants, billing staff, and also with additional public outreach.

The Mayor called for the public hearing to be opened and requested that the following people come forward in succession who wished to speak on the topic:

James Harris, owning commercial property at 233 Montgomery Avenue in Albemarle, spoke in opposition to the new stormwater utility fee to be raised as part of the adoption of a stormwater management plan. He first noted that he had attended one of the public input sessions. As a business

owner he has put investment into rehabilitating old buildings but feels like the proposed stormwater fee is too much for a business to lay out for a program from which his business likely will not benefit. He noted that many local businesses are not aware of the proposed program or fee. He asked Council to consider a less costly program if the concept is to just add onto an existing City department. He believed that the plan will not help the flooding issue.

Richard Almond, representing Crook Motor Company, stated his concern over the proposed stormwater fee due to the potential expense for a business, particularly given the current economy with inflation and prices high. He acknowledged that there is a problem that the City needs to deal with, but thought that this should be a state-related function rather than a local one. The City would have no access to the streams and tributaries beyond the City limits. The drain pipes are poorly designed. If the plan is to add to a City department it would be tough on the community money wise.

Carla Weyrick, representing family commercial property located at 435 Willow Street in Albemarle, and an owner of A.L. Lowder Inc. as well as several properties in Albemarle, stated that many of these businesses have flooded and are still problematic so it is an issue. The proposed stormwater fee would exponentially increase what businesses have to pay for a utility, which would also apply to tenants of leased commercial space even though she is not clear how that would be computed, as well as other organizations such as churches and nonprofits. She felt that there has been no time given to have these organizations prepare for this additional fee. She thought that the proposed fee sounds like it's nearer to what Charlotte's fee is, and that it's excessive for Albemarle. She stated that businesses weren't approached by the stormwater consultant team or anyone from the City about the proposed program or fee.

Susan B. Harris, residing at 40425 Tower Road in New London, but an Albemarle business owner along with her husband James Harris, asked Council to reconsider the proposed stormwater fee. Although a stormwater management plan is needed here, she noted that per her understanding of stormwater management programs in the state based on online research on the stormwater sites sponsored by UNC Chapel Hill, the proposed stormwater fee for Albemarle would be the 4<sup>th</sup> most expensive in the state. She noted that communities with a stormwater management program of similar population size to Albemarle such as Shelby, Lumberton, or Elizabeth City pay a rate of around \$3 - 4 a month. She suggested that a flat rate or tiered fee system would be better. She also raised the concern that organizations like churches weren't given information about the proposed fee, who she believed could be hard hit by the fee due to large impervious surface area like a parking lot which would be computed into their monthly rate. She also noted that the business community did not have the consultant team come speak to them about the proposed program and fee.

Tom Hearne, residing at 434 West South Street in Albemarle, came in front of Council to oppose the proposed fee. He did note that although he sent an email to his elected official on Council about his concerns, he also wanted to share them with Council tonight. He is an engineer and does understand the need for a stormwater management program. He hasn't noticed a priority listing of flooding issues identified in order to provide structure for a stormwater program or specific projects and costs. He feels like this is an expansion of local government during a tough economy and highest inflation rate in decades, and something not mandated by the state. He sees this proposed program as asking taxpayers to fund a new department to address issues.

Diane Robinson, residing at 24031 Cedar Ridge Lane in Albemarle, stated that although she lives in the County she too has properties and business in Albemarle and was speaking to Council from that perspective. She also felt that there was no outreach in the business community about this effort or plan, and so it was unlikely that the larger community was aware of this. The larger community does need the City to provide outreach because this proposed fee will drastically impact them too. She also noted that with inflation driving costs higher she wanted to know how this would affect residents and business owners. She believed that it was hard for the City to justify this “tax”, and wanted to know if the city had explored other options to manage stormwater and flooding. How would the “tax” proceeds be used? What’s the specific plan to alleviate flooding? She thought that if the City wants to bring in new businesses this fee would defeat the purpose of new business creation here. She echoed another speaker’s comment about the proposed fee being higher than most other municipalities in the region and state having this program in place. She requested that Council show that they have looked at other options rather than accepting the consultant-driven one.

Michael Stovall, residing at 2408 Stonehaven Drive in Albemarle, and a pastor at a local church, began his remarks by noting that a year ago based on notification by him to the City, an eroded area near him had turned into a ditch which the City fixed. He has looked at the materials provided by the City but wanted to know why churches weren’t notified sooner about this. The fee will be a considerable burden to some of them, and he knows that his parishioners will be hard hit, many of whom are elderly. He wanted to know why the City was rolling this program and fee out now considering the bad economy. He knows that the flooding problem is real, but why impact people now with this? He asked if the proposed program would then benefit private property owners with help from the City should their properties flood in the future. He finally asked why the City could not apply for federal funds or grant money to address the flooding issue rather than passing the responsibility for the proposed program on everyone who lives and works in Albemarle.

Ritchie Hearne, residing at 2213 Snuggs Park Road in Albemarle, first noted that he conducted some online research on stormwater management on which to base his remarks. In his research he saw different rate structures including a flat rate. The average Equivalent Residential Unit (ERU) of municipalities with a stormwater management program is \$4.08. As a former engineer he does not support the proposed program or fee. He suggested that the City define the issue and project/s then base fees on that. He also mentioned that there was no contact by the consultants or City to property owners about this proposal. He asked if state and county government entities and churches would be exempted from paying the fee. He noted that there is a need for such a program but as proposed is too ambitious. He finally questioned whether this was the best time to implement the program.

Billy Mills, residing at 401 Brenda in Albemarle, first noted some perceived inconsistencies in messaging in the public notices and an article run in the Stanly News and Press: the message sounded like Council was due to approve it tonight but that it has already been included in the proposed FY 2022-23 budget. He asked if Council did not take action or approve the proposed program and fee tonight, what would happen with the funds proposed in the FY 2022-23 budget for stormwater management. City Manager Michael J. Ferris responded by stating that those funds would be taken out if it was not supported by Council. Mr. Mills spoke about two instances where culvert pipes were installed by developers in new subdivisions but that the pipes did not line up – would the city or the developer fix something like this? The Mayor replied that the City would eventually address that issue. Public Works Director Ross Holshouser added that his team is in communication with the contractor on this issue, and that the piping should be under warranty to fix. Mr. Mills finally noted that places like churches would get hit with the fee especially hard.

Jim Lowder, with commercial property located at Willow Street in Albemarle, began his remarks by stating that when his property flooded in 1997 he took care of it and received no assistance from the City. His complaint was that now per the proposal, he will get a bill for an issue that he fixed himself. Given the amount of the fee, he felt that the City should find a way to come up with the funds rather than put it on residents.

The Mayor noted that all comments made tonight would be taken into consideration by Council when they discuss the proposed FY 2022-23 budget in the following weeks.

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

Council took no further action.

#### Ordinance 22-24 – Consider Annexation of 14.91 Acres on Highway 52 and Morgan Road

Council conducted a public hearing to consider the request of owner Henry Farmer Family Limited Trust and developer, Prestige Corporate Development LLC to annex a 14 +/- acre parcel, tax #32951 near the corner of Morgan Rd and Aquadale Rd/Hwy 52 South.

Planning and Development Services Director Kevin Robinson presented the new annexation request and staff analysis to Council. This property is located in the County in a “donut hole” surrounded by City limits. This is proposed to be later considered for a 22 acre development with adjacent City parcel: #17886, a 6.29 +/- acre parcel. The applicant has proposed this entire 22 acre site be annexed into the City to be developed for up to 180 single family attached townhomes in a cluster subdivision. An estimated minimum development of this site in R-10 would be 80 single family attached homes with a maximum of 204 single family attached townhomes possible with R-8 zoning.

The applicant has proposed to develop this site with approximately 180 units. Staff believes the development of this site is likely to have a range between 80 single family homes in a traditional subdivision and 204 townhomes in a cluster subdivision. This will add between 194 and 506 new residents to Albemarle on built out. This is an increase of 1.16 to 3.03 % over our existing population. Given these numbers staff has made some preliminary calculations based upon discussion with the various City departments who would be responsible for providing services to this development.

Projected Total Revenues: Based upon assumed build-out numbers, development of this property in the City of Albemarle would likely produce a minimum of \$159,904 and a maximum of \$415,729 in annual revenue for the City. This is combined property tax, sales tax, motor vehicle tax and Powell bill taxes.

Other Impacts and Costs: Current figures show a potential net annual surplus in revenues from this development of \$39K - 120K after street maintenance and public safety expenses. As shown, this represents approximately 71-76% of the projected revenues from this development. No estimates were given for Streets division or Landfill staff and equipment, Parks and Recreation staff and facilities costs and costs to other internal City services which may need to increase staffing to keep up with impacts of projected growth. Additionally no costs have been assumed for any infrastructure upgrades or long term maintenance of utilities or increase demand on Utility staff.

The Mayor asked if Council had any questions. Mayor Pro Tem Hall asked if a total projected cost of the proposed annexed land for development was computed. Mr. Robinson replied that ranges were better suited to show possible cost to the City for developing this land. Councilmember Aldridge asked which school would be the recipient of the children who could end up living in this proposed development. The consensus response was that it would likely be Aquadale Elementary.

The Mayor called for the public hearing to be opened and asked if anyone would like to speak on the topic. The team representing the developer and Mr. David Farmer, one of the owners of the landed proposed to be annexed came forward to make remarks supporting their annexation request. Various points made during this presentation included:

- How the proposed development fits in with nearby development;
- Specific aspects of the development, such as layout and dimensions of lots and homes, amenities, and access to major roads;
- Need for housing options in the City of Albemarle;
- Update on the traffic impact analysis and what they agreed on with NCDOT in terms of creating stub out roads to ease access and traffic on Highway 52; and
- Land owners' support of the development

No one else came forward to speak.

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

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley, unanimously carried, Council approved Ordinance 22-24 allowing the annexation of 14.91 Acres on Highway 52 and Morgan Road.

[Ordinance 22-24 – Consider Annexation of 14.91 Acres on Highway 52 and Morgan Road]

Ordinance 22-25 – To Consider ZMA 22-05 Rezoning of 22 Acres on Highway 52 from R-20 County and R-10 City to R-8 City

Council conducted a public hearing to consider Prestige Corporate Development's request for the annexation of 14+/- acres at the corner of Aquadale/Highway 52 and Morgan Rd. Following annexation they have requested 22 acres, parcels 32951 and 17886 be rezoned from City R-10 and County R-20 to City R-8. These lots are vacant currently.

Planning and Development Services Director Kevin Robinson presented the rezoning request and staff analysis to Council. The applicant intends to rezone these lots to Residential Neighborhood in order to develop the land with single family attached dwellings, which would not be allowed in the existing R-10 District. By right the allowed number of single family attached dwelling units would be 249 units for the proposed rezoning of 22.66 ± acres. However, the proposed conceptual site plan provided by the applicant is proposing 180 lots. While the applicant is proposing a conceptual site plan, it is important to consider all uses allowed within the R-8 District because this is a general district

rezoning request. The regulations of the R-8 District are intended to emphasize a more standard, medium-density district like those found in Albemarle's early suburbs in closer proximity to the downtown core.

Given the proposed use, the parcel's proposed use under the future land use plan, and its proximity to the Residential Office District, existing single family uses, and major intersections; there are merits for the proposed rezoning to be consistent with the City's future land use plan. Planning Board heard this rezoning request on May 5<sup>th</sup> and unanimously recommended approval with the consistency statement.

The Mayor asked if Council had any questions.

The Mayor called for the public hearing to be opened and asked if anyone would like to speak on the topic. The developer made brief remarks. Mayor Pro Tem Hall asked about whether the traffic impact analysis solved the issues raised during the Phase I subdivision discussions in terms of access to Highway 52 and Morgan Road. The developer confirmed that they have worked with NCDOT with some minor adjustments to provide stub outs to allow access to Highway 52 and ease congestion with the surrounding subdivision Windsor Hills.

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

Upon a motion by Councilmember Hughes, seconded by Councilmember Aldridge, unanimously carried, Council approved ZMA 22-05, with the following consistency statement:

The Albemarle City Council finds the action to amend Tax Records 32951 and 17886 from R-10/General Residential District to R-8/Neighborhood Residential District to be consistent with the adopted 2028 Land Use Plan. More specifically Section Five: Goals, Objectives and Strategies, Policy Directives Objectives O-3.a, O-3.b, O-3.d, and O-3.f, Council finds the Neighborhood Residential District zoning on these parcels to be reasonable and in the public interest.

Upon a motion by Councilmember Hall, seconded by Councilmember Dry, unanimously carried, Council approved Ordinance 22-25.

[Ordinance 22-25 – To Consider ZMA 22-05 Rezoning of 22 Acres on Highway 52 from R-20 County and R-10 City to R-8 City]

Ordinance 22-26 - To Consider ZMA 22-07 Rezoning of Six Parcels Totaling 4 Acres on Johnson Street and Highway 52 North from GHBD and R-10 to HID

Council conducted a public hearing to consider MHK Property Management LLC's request for tax parcels 14402, 28, 7505, 24949, and 24534 be rezoned from GHBD to HID, Heavy Industrial. Also requested is tax parcel 1455 from R-10 to HID Heavy Industrial. The applicant wants to

be able to have more than 5 junked, inoperable or unlicensed vehicles on their property for their tow business.

Planning and Development Services Director Kevin Robinson presented the rezoning request to Council. He noted that since the applicant is working to find other solutions to their issue, they requested that the item be tabled to give more time to work through other options, and recommended that the public hearing be continued until June 20<sup>th</sup>. Council asked the City Attorney's input on how to proceed. The City Attorney noted that it was appropriate to first open the public hearing before making the motion for a continuation to be set for June 20<sup>th</sup>.

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 Dry, seconded by Councilmember Aldridge, unanimously carried, Council approved the continuation of the public hearing for Ordinance 22-26/ZMA 22-07 until June 20, 2022.

#### Ordinance 22-27 – To Consider Approval of Text Amendments to Section 92.109 Historic Districts and Landmarks

Council conducted a public hearing to consider staff's proposal of minor amendments to Section 92.109 of the zoning ordinance related to historic districts and landmark properties.

Planning and Development Services Director Kevin Robinson presented the text amendment request to Council. The amendments are required or strongly suggested by the State Historic Preservation Office as part of their requirements for the City to gain Certified Local Government (CLG) status. This will enable the City to apply for small grants from the state for historic studies as well as assistance with training and education for the Commission.

Planning Board considered the proposed amendments at their May 5th meeting and recommended for approval with the condition that section J(4), which was accidentally deleted, be restored.

The Mayor asked if Council had any questions.

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 Aldridge, and unanimously carried, the public hearing was closed.

The Mayor asked if Council approved the text amendments with the consistency statement, would that Council action also authorize staff to apply for the designation. Consensus was reached among Council and Planning staff to approve the ordinance with text amendments and the authorization to apply for designation in separate motions.



Upon a motion by Councilmember Hall, seconded by Councilmember Hughes, unanimously carried, Council approved Ordinance 22-27 with the following consistency statement:

The Albemarle City Council finds the action to amend City Ordinance, Chapter 92, Section 109: Historic Districts and Landmark Preservation to meet recommendations to apply for certified local government status to be consistent with the adopted Comprehensive Land Use Plan. More specifically Section Five: Goals, Objectives and Strategies, Policy Directives Objectives O-7.b, O-7 .c, O-7.d, O-7.e, and O-7.f. Council finds Text Amendment 22-03 to be reasonable and in the public interest.

Upon a motion by Councilmember Dry, seconded by Councilmember Hall, unanimously carried, Council approved staff to apply for certified local government status.

[Ordinance 22-27 – To Consider Approval of Text Amendments to Section 92.109 Historic Districts and Landmarks]

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**ADMINISTRATIVE REPORTS**

Pavement Preservation and Maintenance Plan Update

City Manager Michael J. Ferris summarized the updated plan based on a memo from the Public Works Department. Staff is requesting Council to combine funds from this current year’s budget with funds proposed in the FY 2022-23 budget in order to manage the higher costs of materials.

The Mayor asked if Council would still receive a streets listing of what is to be paved this spring. Public Works Director replied that since some of the work proposed as result of the streets assessment completed earlier on involves special equipment staff needs to figure out who the bidders will be for that portion of street preservation/maintenance work first. A list is expected to be provided to Council in July.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, unanimously carried, Council approved the request by staff to combine the FY 2021-22 streets preservation/maintenance funds with the proposed FY 2022-23 funds.

Progress Report for the Albemarle Business Center

City Manager Michael J. Ferris presented the update to Council.

A construction progress meeting was held for the Albemarle Business Center on Friday, May 6. Status of the project activity is provided below.

- Clearing of road and sewer right of way is mostly finished.
- Silt fencing has been installed.

- Begin work on erosion control basins and perimeter devices next week for roadway construction.
- Scheduled to begin sewer installation next week.
- After erosion control measures are installed roadway construction will halt until RCP is delivered; RCP expected to be delivered end of May to mid-June; will begin mass grading once delivered.
- The City is having final electrical plans developed.
- NJR suggested electrical could be installed December 2022 or January 2023; will continue to coordinate schedules as construction progresses
- In reference to the Avion development project - The section of sewer for the ABC Avion connection is scheduled to be completed by October

### Spotlight Presentation – Finance

Finance Director Jacob Weavil and Assistant Finance Director Kimber Hurlocker came in front of Council to present the personnel, functions, tasks, and accomplishments of the Finance Department.

The Finance Department recently developed and is implementing a new goals-based structure driven by the following: Accuracy, Consistency, and Efficiency (ACE). The department's purpose, intent and team were reviewed. Finance manages 8 operating funds for the City, with a 9<sup>th</sup> fund upcoming for stormwater management, along with participating in interim and final financial audits, developing the Annual Comprehensive Financial Report, conducting budget planning, supporting other annual reporting across the funds, and acting as a resource for all departments within City operations.

The payroll function is handled by Melinda Harris, who processes biweekly and supplemental payroll, completes monthly and quarterly reporting, management of employee timekeeping in the Kronos system, provides year-end report, and prepares and distributes W-2s and 1095 forms. Purchasing is handled by Linda Lewis, who processes purchase orders and maintenance requests, coordinates the HUB program, manages all departments' capital assets, is responsible for disposal of surplus property, and general billing. The Accounts Payable group comprised of Luke Melton and Angie Burleson, processes all accounts payable invoices, routes incoming invoices to the appropriate department, manages vendor statements, processes weekly check and Purchasing Card runs, and works with vendors. The Collections team which includes Chase Russell, Candi Poole and Richard Lanzilotti, processes over 18,000 payments each month, has contact with 150-300 customers daily, uses over 17 different types of software and procedures to conduct transactions, directs customers in assistance options, deescalates customers and offers solutions, and for revenue collection reconciles property tax, sales tax, and all other major revenue streams as well as reconciles Landfill Accounts Receivable every month. Specifically for the Public Housing Department, Kim Speights the Financial Accounting Specialist handles both the conventional housing and Section 8 funds, which includes tasks such as: reconciling banks accounts, balances tenant accounts receivables daily, managing capital funds revenues and expenditures, completing the accounts receivable process through the entire cycle, creating various reports, handling housing choice vouchers, and completing equity in pooled cash monthly, among others.

The department's future goals include: going paperless, improving and creating Citywide training in various finance functions for existing staff and onboarding training for new employees, creating process and procedure manuals for the department, and improving the general ledger.

Mr. Weavil and Ms. Hurlocker took questions from Council. Mayor Pro Tem Hall asked a question about the April report from Finance regarding the percentage of income received from the Section 8 program, which was answered by Mr. Weavil.

Council thanked Mr. Weavil, Ms. Hurlocker and the Finance team for all of the important work they do for the City.

#### Departmental Monthly Reports

The Mayor and Council received monthly departmental reports for April 2022 prior to the meeting. The Mayor asked if any Council members had any questions or comments.

Councilmember Townsend asked when WM would begin monthly reporting to the City per a recent agreement made. The Mayor reminded them per a recent update from Mr. Ferris, WM is due to come back in front of Council in June, and so that question could be posed to them then.

Mayor Pro Tem Hall asked about the leadership change in Public Utilities per the reason provided for no report from the department for April. Mr. Ferris noted that the Public Utilities Director has now left City employment effective the end of last week.

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#### **CONSENT AGENDA**

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

#### Resolution 22-18 – Establishing Annual Street Assessment Fees for FY 22-23

Per our Charter, City Council must establish annual street assessment rates. The rates must be based on actual cost. The resolution for FY 2022-2023 is attached for approval. The adopted FY 21-22 Assessment rates are included for comparison.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, unanimously carried, Council adopted Resolution 22-18 establishing the annual street assessment fees for FY 2022-23.

[Resolution 22-18 – Establishing Annual Street Assessment Fees for FY 22-23]

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## COMMENTS

### City Manager Michael J. Ferris:

- He wished everyone a happy Memorial Day.

### Councilmember Townsend:

- He asked if someone from the Fire Department could come up and tell Council about how recruit minimized a potential dangerous situation recently. Battalion Chief Kendall debriefed Council on a recent event in Foxfire Apartments recounting the quick thinking and action of Fire recruit Jacoby Embry to cut off air when the fire started, minimizing the damage the fire caused to the apartment complex.
- He commended Public Information Officer David Fath due to a positive comment made to him at a recent job fair where a local marketer told him that Mr. Fath's work is doing a great job of showing a positive outlook on Albemarle.

### Councilmember Hughes:

- She asked if there was an update about the recycling building fire. Public Works Director Ross Holshouser provided an update that a gas odor and foundation settling had been discovered a while back and they recently had a contractor in to gauge gas levels which were present but not high enough to vacate the building. They had the foundation of the building jacked up a few months back, which is when staff started smelling the gas odor. For some reason this past weekend there was something unknown which apparently ignited the gases and caused the explosion of the recycling center. Luckily it occurred over the weekend when staff was not present. Staff found the building leveled this morning and called the Fire Department out to investigate. A hazmat crew came in today to clean up the site. The cause is still pending.

### Councilmember Aldridge:

- Re April HR report – he commented that there were a good number of applicants for jobs posted and that is good for the City.
- He urged people to go vote in the primaries tomorrow.

### Councilmember Lowder:

- She hopes that Council doesn't forget about the folks who came before them tonight about the proposed stormwater management plan and fee. The Mayor assured her that Council would discuss at this coming Wednesday's budget meeting.

### Mayor Pro Tem Hall:

- She asked if other Council members received an email today from the auditor. Some members replied that they had.

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**CLOSED SESSION**

Upon a motion by Councilmember Hughes, seconded by Councilmember Dry, 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)(4) Economic Development.

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**RETURN TO OPEN SESSION**

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, 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)(4) Economic Development.

Upon a motion by Councilmember Whitley, seconded by Councilmember Hall, and unanimously carried, Council approved re-releasing the RFP for proposals for the old Police Headquarters Building with the new application deadline of August 1, 2022.

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Upon a motion by Councilmember Lowder, seconded by Councilmember Hughes, unanimously carried, the meeting was adjourned until Wednesday, May 18, 2022 at 4 pm for a budget workshop in Council Chambers in City Hall.