

REGULAR MEETING CITY COUNCIL

June 6, 2022

The City Council of the City of Albemarle met in a regular session on Monday, June 6, 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.

Mayor Michael called the meeting to order.

The Mayor gave the invocation.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Lowder, unanimously carried, the minutes of the May 16, 2022 regular and closed meetings and the May 18, 2022 budget meeting were approved as submitted.

PUBLIC HEARINGS

Consider Economic Incentives for Project FLEX

Council conducted a public hearing to invite public comment on a proposed economic incentive agreement that will result in a five (5) year, 30% business development grant between the City of Albemarle and an existing manufacturer of packaging products located in the corporate limits of Albemarle. The grant will aid and encourage new taxable investment within the City of Albemarle. The company will invest a minimum of \$1,500,000 and create approximately four (4) new jobs.

Economic Development Director Keith Tunnell came in front of Council to briefly present the incentive package. Project Flex 2.0 is an economic development project that has a total investment of not less than \$1.5 million and creation of no fewer than 4 new manufacturing jobs for Global Packaging Solutions. The project is to be completed by the end of the 2023 taxable year and will be the second expansion of the company in the last 2 years.

Salaries range from \$25,000 - \$30,000 annually for each of the new positions. The company currently has 17 employees with average salaries of \$45,000 annually.

Staff recommends entering into a Performance Agreement that includes approval of incentives to include a 30% tax break on the new investment for a period of 5 years provided the investment of \$1.5 million or more is made and a minimum of 4 net new jobs are created by the company.

Mayor Pro Tem Hall commented that the workers taking the new positions in this latest expansion will actually be paid less than existing workers there. Mr. Tunnell replied that he and his counterpart at Stanly County noticed that the wages the company would be offering would be lower and so they decreased the incentive percentage to 30% from 60% to be proportional.

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 Townsend, unanimously carried, the public hearing was closed.

Upon a motion by Councilmember Townsend, seconded by Councilmember Whitley, unanimously carried, Council approved an economic incentive agreement that will result in a five (5) year, 30% business development grant with the City of Albemarle for Project FLEX/Global Packaging Solutions.

Proposed FY 2022-23 City of Albemarle Budget

City Manager Michael J. Ferris presented a revised budget and memorandum highlighting changes to the budget from the version released on May 2nd in the agenda packet prior to the meeting. The Mayor announced for public benefit that since the initial release of the Fiscal Year 2022-23 proposed budget Council had decided to remove the stormwater fund and fees from this budget.

Mr. Ferris noted that he and the Finance Director processed all the necessary changes related to the removal of the stormwater fund. Council had a revised budget distributed to them. Highlighted among the changes to the revised budget are:

- Removal of tree trimming in downtown recommended by the Tree Commission;
- Removal of purchase of 1 Police vehicle;
- Adjustments to Fire Department capital projects
- Decrease of City contribution to the Health Insurance Fund by 2%

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.

Mayor Pro Tem Hall provided comments. She summarized Council action regarding the stormwater fund and fee structure from the May 18th budget meeting, noting that although Council decided not to add it into the budget starting July 1, 2022, Council did vote to continue to refine and receive public input on a stormwater management fund and fee structure for Council approval for a January 1, 2023 implementation date. Council discussed the need to have a plan of action by early this summer to move forward.

Councilmember Townsend requested more information about which Fire Department capital projects would be impacted. The ceiling repair at Station 1 and gutter work at Station 2 would be impacted by slightly less funds.

Council engaged in discussion on whether to proceed with a vote on the budget or have more discussion at the June 20th meeting. Council agreed that more time would be given to review the changes.

No one came forward to speak.

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

Mayor Pro Tem Hall called for a motion to delay approval of the Fiscal Year 2022-23 budget until the June 20th meeting. The motion was seconded by Councilmember Hughes, and upon a vote the motion passed with 6 Council members voting for the motion, and 1 Council member voting against the motion. Councilmember Townsend opposed the motion.

After the vote Council discussed the timeline for further developing the stormwater management plan, fund and base rate, noting that they would need new information from the contractor WK Dickson and First Tryon by early summer. Public Works Director Ross Holshouser replied that the contractor is working on a revised plan currently.

AGENDA ADJUSTMENT

The Mayor requested the Council add as the last item under New Business Council discussion of a traffic issue related to Ridge Street.

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

ANNOUNCED DELEGATION

Theodore Williams – To Request Road Closures for Albemarle Night Market

Mr. Theodore Williams came before Council to request road closures for an outdoor night market in Downtown Albemarle. Mr. Williams brought this proposal before City Council on April 18, 2022. The Albemarle Night Market will be an open air market with food trucks, vendors, and music. Dates for the Night Market are July 2, July 9, July 16, July 23, and July 30 from 5:00 pm - 11:00 pm.

Roads requesting to be closed:

- S. Depot Street from West Main Street to South Street
- N. Depot Street from West Main Street to North Street

Council asked a series of questions which Mr. Williams or City staff answered. Will insurance be provided? The event and the City will be insured for \$1 million. Do the downtown businesses know about the night market? Yes all the appropriate paperwork has been completed for the events. Having the night market on Depot Street won't impact downtown businesses. There has been a property on Depot Street which has been recently sold – has anyone weighed in for that property in terms of the night market events? Planning and Development Services Director Kevin Robinson replied that he has been in touch with the realtor who has confirmed that the night market activity would dovetail nicely with proposed use of that property. What is the advertisement plan? Social media posting, talking to local businesses and flyers are the methods of advertising the events. Council also asked about lighting, the security plan for the events, and clean up after the event.

Councilmember Townsend called for a motion to approve the road closures as specified for the night market events per the dates listed. The motion was seconded by Councilmember Dry.

After the motion was called, a separate discussion occurred about the status of the event group as not being a 501(c)(3) organization and whether the motion should be amended to include a stipulation that the organization status be changed on the special event application.

Councilmember Townsend amended his motion to include the requirement of modifying the event application as not being hosted by a 501(c)(3) organization, which was seconded again by Councilmember Dry. Upon a vote, 5 Council members voted for the motion, and 2 voted against. The motion passed. Mayor Pro Tem Hall and Councilmember Lowder opposed the motion.

ADMINISTRATIVE REPORTS

Consider Approval of Bank Financing for Fiscal Year 2022 Capital Items

The Mayor called for a motion to recuse Councilmember Hughes from discussion of this item.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council recused Councilmember Hughes. She left Council Chambers.

Finance Director Jacob Weavil came forward to present the item to Council. In partnership with First Tryon Financial Advisors and bond council Womble Bond Dickson, the City of Albemarle Finance Department solicited bank bids to finance the acquisition of (1) front-line fire engine, (2) heavy equipment service truck, (3) landfill dozer, and (4) landfill certified compactor rebuild. These are all items that are a part of the FY 21/22 Budget and the Finance Department has bundled the financing into one action in order to simplify the process and to receive the best rates possible. The City received a total of 9 responses and the lowest bid came in from Uwharrie Bank with an interest rate of 1.75%.

The resolution drafted for Council consideration would approve the financing and authorize the execution and delivery of the financing document with Uwharrie Bank. The closing date is tentatively scheduled for June 15th, 2022 and is contingent upon Council's approval of the resolution.

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge, unanimously carried, Council adopted Resolution 22-19 approving the financing and authorizing the execution and delivery of the financing document with Uwharrie Bank.

[Resolution 22-19 - Approval of Bank Financing for Fiscal Year 2022 Capital Items]

Councilmember Hughes reentered the meeting.

Benefits Update

Human Resources Analyst Leslie Kinley provided an update on the City's benefits offerings following the completion of the annual benefits open enrollment period. Open enrollment was held May 22nd - June 3rd and all but 3 employees enrolled during open enrollment.

The City has now entered into a partnership with MedCost for health insurance. This will allow the City to keep benefit rates low, add an additional plan option, increase personalized services for staff, and provide ongoing wellness activities for employees. Ms. Kinley summarized the new plan offerings including the new PPO category in order to bridge the cost to employees with a mid-range choice between the original PPO plan and the high deductible plan so that more employees could afford the premiums for covering themselves and their children. Also summarized were the Health Savings Plan, pharmacy plan, personal care management and fitness/wellbeing resources under MedCost.

Ms. Kinley announced that HR was in final steps of testing a benefits application which could be added onto an employee's phone. The expected date of rollout would be July 1st.

Council thanked Ms. Kinley for the update and information.

MUNICIPAL CALENDAR

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

CONSENT AGENDA

The Mayor asked if Council wanted to move any items on the consent agenda. Mayor Pro Tem Hall requested that the road closure request for Badin Brews Street Festival be removed from the consent agenda.

Ordinance 22-28 – Amending the Fiscal Year 2021-22 Operating Budget

This item is related to the resolution authorizing bank financing for fiscal year 2022 capital items - Landfill Compactor Rebuild, Landfill Dozer, Heavy Equipment Truck, Fire Engine. This amendment to the operating budget reduces appropriations made and is contingent upon the approval of the project budget ordinances submitted to Council for approval.

[Ordinance 22-28 – Amending the Fiscal Year 2021-22 Operating Budget]

NOTE: The following description applies to projects Ordinances 22-29 through 22-32: The Finance Department is requesting the adoption of project budget ordinances due to extended delivery times for the major capital items approved in the fiscal year 2022 operating budgets. All capital items approved have been encumbered with expected delivery dates in fiscal year 2023. An ordinance amending the annual operating budget for fiscal year 2022 is also being presented to Council making the appropriate adjustments.

Project Budget Ordinance 22-29 – Front-Line Fire Engine

[Project Budget Ordinance 22-29 – Front-Line Fire Engine]

Project Budget Ordinance 22-30 – Heavy Equipment Service Truck

[Project Budget Ordinance 22-30 – Heavy Equipment Service Truck]

Project Budget Ordinance 22-31 – Landfill Certified Compactor Rebuild

[Project Budget Ordinance 22-31 – Landfill Certified Compactor Rebuild]

Project Budget Ordinance 22-32 – Landfill Dozer

[Project Budget Ordinance 22-32 – Landfill Dozer]

Consider Road Closure for Dinner on Main Event

Dinner on Main is an annual fundraising event for local non-profit organizations. This year's fundraiser will benefit Stanly County Chamber of Commerce. The Dinner on Main event is an outdoor farm-to-table seated dinner on the corner of Second St. and W. Main St. in Downtown Albemarle. The event will occur on September 17, 2022 between 4:00 - 11:00 pm.

Consider the following roads for closure:

- W. Main Street from First Street to Third Street
- Second Street from King Street to North Street

Consider Duffield Aquatics as a Sole Source Vendor

Parks and Recreation operates two public pools from May – August each year. Pools require chlorine for sanitation and safety of the lifeguards and patrons using the pool. Pools are required to stay within a certain pH and alkalinity range. Chlorine is essential to ensure the pools are within the health code requirements. The chlorinators at both pools require Pulsar+ chlorine briquettes. Pulsar+ is the only brand of chlorine that Rock Creek and Chuck Morehead chlorinators can use.

Duffield Aquatics is the sole source provider of Pulsar+ chlorine in the Southeast United States. All other providers of Pulsar+ chlorine in the Southeast United States purchase through Duffield Aquatics. To order through a different company would mean that company would be obtaining the Pulsar+ chlorine from Duffield, which will drive up the prices for the City of Albemarle.

Parks and Recreation is requesting Duffield Aquatics to be considered a sole source provider for chlorine briquettes for the City of Albemarle pools.

Consider Road Closure for Sugar Hill Reunion

The Sugar Hill Reunion is an annual neighborhood block party with food and games. The annual reunion is scheduled for August 12 - 14, 2022.

Road closure is requested from 10:00 am - 10:00 pm for the following:

- T.E. White Sr. Drive from Adelaide Street to Elizabeth Street

Consider Rescheduling the First Meeting in September to Tuesday, September 6th Due to the Conflict with the Labor Day Holiday

Since the Labor Day holiday falls on the first meeting date of September 5th and City offices will be closed, Council should consider moving the date of the meeting to Tuesday, September 6th at 6:30 pm.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Whitley, and carried with a vote of 6 Council members for and 1 Councilmember against, Council approved the following:

- Ordinance 22-28 – Amending the Fiscal Year 2021-22 Operating Budget;
- Project Budget Ordinance 22-29 – Front-Line Fire Engine;
- Project Budget Ordinance 22-30 – Heavy Equipment Service Truck;
- Project Budget Ordinance 22-31 – Landfill Certified Compactor Rebuild;
- Project Budget Ordinance 22-32 – Landfill Dozer;
- Road closure for the Dinner on Main Street event;

- Allowing Duffield Aquatics to be the sole source vendor for chlorine briquettes for the City of Albemarle pools;
- Road closures for the Sugar Hill Reunion; and
- Rescheduling the first Council meeting in September for Tuesday, September 6th

Mayor Pro Tem Hall voted in opposition to the consent agenda approval.

Consider Road Closures for Badin Brews Street Festival

Badin Brews and Sunny Day Markets are partnering to bring a Street Festival to First Street in Downtown Albemarle on Saturday, August 13, 2022 from 11:00 am - 8:00 pm. The Street Festival will support local North Carolina crafters and small business owners.

Road Closures being requested from 7:00 am - 8:00 pm include:

- First Street from South Street to West Main Street

Mayor Pro Tem Hall explained that this was taken off consent agenda due to the partnership with Sunny Day Markets and that organization’s 501(c)(3) status. That was clarified to her satisfaction. Planning and Development Services Director Kevin Robinson answered other Council questions.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hughes, unanimously carried, Council approved the road closure for the Badin Brews Street Festival.

NEW BUSINESS

Consider Approval of MJSR 22-05 Eastover Townhomes Phase 3

Development Coordination Specialist Jay Voyles came in front of Council to present the developer’s request and provide staff analysis. MJSR 22-05 is a continuation of the Eastover Townes cluster subdivision previously approved along S Bell Avenue, Eastover Avenue, and Amhurst Street, which will now include East Main Street & Bogan Avenue. Seventeen (17) clustered townhome lots are being proposed on all existing streets and the subdivision is proposed to include a large open space area behind the townhomes.

MJSR 22-05 is currently a 53 lot cluster subdivision consisting of single family attached units. The total area to be developed is 6.97 acres with 5.25 acres in one tract on the west side of S Bell Ave and 1.72 acres on the east side of S Bell Ave. Planning Board and City Council have already approved 34 lots on the western side of S Bell Ave and this preliminary plat introduces 17 additional townhome lots on the eastern side of S Bell Ave.

The Planning and Zoning Board heard this case at the May 5th regular meeting and they unanimously made a favorable recommendation to approve MJSR 22-05 with several conditions that are outlined in the staff analysis.

Access: The majority of the subdivision is to be accessed off of the existing streets of S Bell Ave, Eastover Ave, Bogan Ave, E Main Street and Amhurst St. Phase 2 of the development will introduce a new section of Eastover Ave that will eventually connect to both existing Eastover Avenues.

Open Space: This new addition proposes 12,483 square feet of open space provided with a courtyard style picnic area and cluster mailbox units. Since the Planning Board Meeting, the developer has proposed much more open space that is centrally located behind the townhome units. This area is proposed to have a mulched trail leading to E Main St as well as some picnic benches.

Traffic Analysis: Staff does not believe a traffic impact analysis is necessary due to the perceived low impact of this infill development.

Utilities and Topography: This development will be served by City water, sewer and electricity. Services are already located adjacent to the parcel.

Setbacks: The developer has proposed to reduce the end unit side setback to 5', the side setback with a street to 15' and the rear setback to 17.5'. Setbacks adjacent to properties that are not part of the cluster development will still need to retain the normal building setback for the respective district. Lots 1, 12, 13, 16, 17 & 19 will need to have a minimum of an 8' side setback. The developer has revised the plat to reflect this.

The developer has revised the plat satisfying all conditions noted by the Planning and Zoning Board and staff. Staff recommended that the subdivision request be approved by Council with no additional conditions.

Upon a motion by Councilmember Whitley, seconded by Councilmember Townsend, and carried with a vote of 6 Council members for the motion and 1 Council member against, Council approved MJSR 22-05 Eastover Townhomes Phase 3. Councilmember Lowder opposed the motion.

Project Budget Ordinance 22-33 – New Landfill Compactor

City Manager Michael J. Ferris presented this budget request to Council.

This Landfill Compactor has been presented to Council for approval in the fiscal year 2023 budget proposal, but due to supply chain and pricing conditions staff is requesting Council to consider adopting this project budget before the end of fiscal year 2022 so that the compactor can be ordered. The attached memorandum from Public Works Director Ross Holshouser provided additional detail regarding the need.

Upon a motion by Councilmember Dry, seconded by Councilmember Hughes, unanimously carried, Council approved Project Budget Ordinance 22-33 authorizing the purchase of a new Landfill compactor.

[Project Budget Ordinance 22-33 – New Landfill Compactor]

Introduction of Fire Marshal Robert Wilhoit

Fire Chief Pierre Brewton introduced the new Fire Marshal and made some remarks about Fire Marshal Wilhoit's service with the City and his qualifications. Chief Brewton was honored to bring forth Fire Marshal Wilhoit due to his dedicated and exemplary service with the City of Albemarle for the last 22 years, particularly the last 2 years in a role where he could be counted on.

Fire Marshal Wilhoit made some brief remarks. He felt privileged to take on the role. He has worked in safety roles here for the last 35 years in EMS and the last 22 for the City of Albemarle and is looking forward to serving citizens, Council, and business owners.

Council offered Fire Marshal Wilhoit hearty congratulations on his new role.

Traffic Issue – Ridge Street

The Mayor reported on an issue that Councilmember Aldridge had raised earlier on and on which Council took action related to lowering the speed limit from 45 mph to 35 mph on a portion of Ridge Street. NCDOT has indicated that it wants to increase the speed limit again back to 45 mph. He informed Council that if they wanted to keep the lower speed limit then they would have to write a letter to NCDOT opposing the speed limit increase.

The Mayor called for a motion to contact NCDOT about keeping the speed limit on Ridge Street between Park Ridge and the NE Connector at 35 mph.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Lowder, unanimously carried, Council approved the motion.

COMMENTS

Councilmember Aldridge:

- He noticed yesterday the road improvements being made on Highway 52 and East Main Street.

Councilmember Townsend:

- Per the revised Fiscal Year 2022-23 budget, does Council need to set another date? The Mayor replied that it would be a Council decision to make.
- He noticed a different public hearing sign on South 4th Street – is the city using different signage now? Planning and Development Director Kevin Robinson noted that Planning has purchased magnetic signs with changeable signs to post. This sign was advertising a hearing for the minimum code meeting on June 21st.

Mayor Pro Tem Hall:

- She noted and gave an “attaboy” to the Fire Department, specifically to the Fire personnel staffing the truck who went out that night, for helping a couple nearby her last Thursday night with an emergency call.
- Per the traffic light on Old Charlotte Road and Highway 52 by AL Lowder, it seemed as though the light changing mechanism was off disrupting traffic flow there. She wondered if staff could contact NCDOT about that.
- Statewide and locally she noted that Public Service Awareness Week was being celebrated this week and was glad to see that to recognize all public service employees statewide and here in Albemarle and Stanly County.
- Last week’s Food Truck Friday was a great time even though the weather was threatening. The band received great comments. She thanked Parks and Recreation for finishing the elevated dance floor area and also gave an “attaboy” to Public Works for finishing the sidewalk there too so that folks who could not access the dance floor had space. The Mayor asked a question about fence installation around the dance floor. Parks and Recreation Director Lisa Kiser replied that it would occur in a couple weeks.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Dry, unanimously carried, the meeting was adjourned to Monday, June 20, 2022 at 6:30 pm in Council Chambers at City Hall.