

REGULAR MEETING CITY COUNCIL

January 17, 2012

The City Council of the City of Albemarle met in a regular session on Tuesday, January 17, 2011, 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.

The Mayor made a special presentation of retirement certificates.

Jay A. Fesperman, Department of Public Utilities-18.25 years of service
Rodney G. Russell, Department of Public Utilities-27.25 years of service
Ted L. Smith, II-Police Department-29.42 years of service

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the minutes of the January 3, 2012 regular session were approved as submitted.

A public hearing was held to consider designating two parking spaces with a two hour limit in front of 125 South Third Street. No one from the public spoke for or against this matter.

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

Councilmember Holcomb moved to establish two “two hour” parking spaces on the east side of South Third Street. Councilmember Underwood seconded the motion. Voting for the motion were Councilmember Alexander, Holcomb, Neel, Townsend, and Underwood. Voting against the motion were Councilmembers Hall and Michael. The motion carried and an Ordinance entitled

(Ordinance 12-03) “AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, AMENDING CHAPTER 77 OF THE CITY OF ALBEMARLE CODE OF ORDINANCES, SECTION XXXV, TRAFFIC SCHEDULES, BY ESTABLISHING TWO “TWO HOUR” PARKING SPACES ON THE EAST SIDE OF SOUTH THIRD STREET, ALBEMARLE, NORTH CAROLINA” passed first reading.

Ms. Robin Spinks with Greenfield came before City Council to present a proposal for Phase I economic development services for the former Wiscassett Mills site.

Ms. Spinks an economic development consultant with Greenfield stated that she would like to give a brief overview of the proposal for Phase I for the former Wiscassett Mills site. If the City moves forward with Phase I, it would include defining the best type of uses for this area. If we move forward to Phase II this would include creation of a detailed site plan for this site. Phase II would be a marketing plan to recruit businesses to the site. She stated that this parcel could be the catalyst for a ripple effect of redevelopment on other adjacent and nearby properties.

Ms. Spinks stated that task one would include physical issues such as zoning, basic costs and physical limitations and economic linkages in the City, County and region. Greenfield will review other target industry sectors and see if any of them are targets for the redevelopment site. Next, task two we would recommend a redevelopment strategy including types of businesses that might have a reason to locate within this site, physical layout of roads and buildings that might fit on the site. The next steps would be Phase II and Phase III.

She stated that Phase I of the project would include around 30 hours for research and development @ \$150/hr, or around \$5,000 and should be completed within three months.

Upon questioning by Councilmember Hall, Ms. Spinks stated that the cost of Phase II would range from \$5,000-\$10,000 and since this property is in a flood plain, it could cost as much as \$40-50,000. Phase III range of cost would be \$10-25,000.

Ms. Spinks answered any questions that Council had.

Councilmember Townsend stated that he thinks we should wait on making a decision on this until Council discusses this further and talk with the Stanly County Economic Development Board and their thoughts on this site.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the City Council approved holding off on a decision on this site until they can discuss further at the City Council Budget Retreat on February 25.

Ms. Kathy Almond, Executive Director, Albemarle Downtown Development was present to request closing Railroad Street beside Market Station for the Winter Wine Festival and the Outdoorsmen Bonanza and requested closing Railroad Street beside Market Station for the Winter Wine Festival and the Outdoorsmen Bonanza.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the City Council approved closing Railroad Street from West Main Street adjacent to Market Station from 8am – 7pm for the Winter Wine Festival on February 25 and to close Railroad Street from West Main Street adjacent to Market Station beside Market Station from 8am – 4pm for the Outdoorsmen Bonanza on March 31.

Mr. Don Phelps, Monarch Apartments came before Council to request that garbage and trash service for apartment complexes be included in the RFP being issued by the City. It was noted that currently, the City provides service to complexes of ten apartments or less with rollout cart service.

Mr. Phelps stated that Attorney Robert Odom would be speaking for the group present tonight. This included Russ Hollins, owner of Century 21, Don Phelps property manager of Monarch Apartments, and Deborah Kelly. Mr. Odom stated that he has looked at the cost of providing dumpster service to the 14 complexes that fall into this category and the amount of revenue the City would generate by billing each apartment resident for solid waste collection and disposal at current rates, and he believes this would generate more than enough revenue to cover the cost of this service. He stated the owners he represents are not opposed to the additional fees for this service being placed on the utility bills of the residents they represent.

He asked that a study be done on this by Council to consider an RFP allowing all apartment complexes be included where service is paid by each tenant to the City of Albemarle for service. This would create income for the City by doing this.

City Council answered any questions brought forward and asked questions to the representatives present.

Councilmember Hall and Councilmember Michael agreed that the City should consider adding all apartment complexes to the RFP, no matter the size.

City Manager Raymond Allen stated that Public Works Director Mike Lambert, Assistant City Manager Michael Ferris and he had no problem doing this if Council decides to do so.

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 12-01. A budget amendment to appropriate funds from loan proceeds for police mobile equipment.)

(Ordinance 12-02. A budget ordinance for the Carolina Thread Trail Grant.)

The Mayor and City Council discussed the minimum housing code violations at 401 Lincolnton Street. It was noted that this property is one of the four the City Council identified for enforcement James Luster held and administrative hearing concerning this property and issued a compliance deadline of September 5. On October 3 the City Council granted Mr. Tim Wilson a 90-day extension to make repairs necessary to bring the property up to the minimum housing code standard. This extension has now expired.

This was brought before Council on January 3 and Mr. Wilson did not appear. City Council tabled this item until January 17, giving Mr. Wilson time to appear. Assistant City Manager Michael Ferris mailed a certified/return receipt letter to Mr. Wilson on January 4.

Assistant City Manager came before Council and stated upon questioning that he had not received a return receipt for the letter mailed on January 4.

Councilmember Michael moved to allow Mr. James Luster with Centralina Council of Governments to proceed with the process. Councilmember Hall seconded the motion. Voting for the motion were Councilmembers Alexander, Hall, Holcomb, Michael, Neel, and Underwood. Voting against the motion was Councilmember Townsend. The motion carried.

The Mayor and City Council reviewed information regarding FY 2010-2011 Audit. The City Manager noted that at the January 3 Council meeting Councilmember Townsend had a question as to what was included in the \$97,547 expense for economic development for 2010-2011. Finance Director Colleen Conroy followed up on this and found the detail for this expense on page 60 of the audit. Council received a copy of page 60 from the audit.

The Mayor and City Council was presented with the draft request for proposal and scope of services for solid waste and recycling services. The City Manager noted that Assistant City Manager Michael Ferris has coordinated and made adjustments to the current documents to reflect what staff feels is needed as we move forward with a new contract. This proposal incorporates suggestions of staff, Mayor and City Council, and adjustments clarifying contract language or to have it reflect what is currently taking place.

Assistant City Manager Michael Ferris stated that this package will allow contractors to bid on everything the City is considering. There are also alternate bids proposed. One is for solid waste only and another is for City-wide recycling. This would allow the City to have two different vendors for these services. A final alternate was added at the recommendation of City Council at their last meeting which is to receive bids on recycling services for only those that specifically request the service. This format of a package bid and various alternates should provide flexibility to the potential vendors to choose the services

they are interested in bidding and also provide Council with options on pricing and how to award the bids for the desired services.

Mr. Ferris stated that Council may want to consider a special meeting to allow more time for review and discussion. He answered any questions that Council had.

Councilmember Hall stated that she feels we should add all apartment units regardless of size to the RFP.

Upon a motion by Councilmember Michael, seconded by Councilmember Holcomb and unanimously carried, the City Council approved including in the solid waste RFP's, all apartments inclusive of large multi-family units, small multi-family units and residential units.

It was noted that a letter will be sent to all apartment complexes in the City making them aware of this.

The Mayor and City Council considered approval of an agreement with WHN Architects for the former Niven Army Reserve Center. City Council previously approved the use of WHN Architects for design and construction services for the former Niven Center.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the City Council approved an agreement with WHN Architects for design and construction services for the former Niven Center in the amount of \$55,000.

Upon a motion by Councilmember Neel, seconded by Councilmember Hall, and unanimously carried, an Ordinance entitled (Ordinance 12-04) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF ALBEMARLE BE AMENDED BY REVISING TITLE IV: PUBLIC WORKS, CHAPTER 41, SECTION 5(A)(4), REGARDING COLLECTION OF RESIDENTIAL YARD WASTE." passed first reading.

The Mayor and City Council reviewed a request to use outside specialized counsel to review proposed pole attachment agreement. Council received a memorandum from Assistant City Manager Michael Ferris who has been handling this matter. Mr. Ferris is recommending that the City Council authorize staff to engage Poyner and Spruill, who has represented the City on several matters in the past, for this task.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the City Council approved authorizing staff to utilize David Barnes with Poyner & Spruill LLP to review the proposed pole attachment agreement.

The Mayor and City Council reviewed a bid tabulation for the Electric Division of the Public Utilities Department. The bids were received on January 10, 2011. Jonathan Misenheimer Project Coordinator noted that the transformers are used in the Electric Division and five companies submitted bids for consideration. Council received the bid tabulations with extended bid evaluations. Mr. Misenheimer noted that there are sufficient funds in the FY 2010/2011 Public Utilities budget for the listed recommendations.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the City Council awarded the bid for the Electric Division transformers to the low bidder in each category of bid based on total evaluated cost:

(Bid Tabulation 12-03)

The Mayor and City Council reviewed the proposed FY 2012-2013 budget preparation schedule. If this schedule is acceptable, Council can also set the times of the meetings on February 18, March 7 and 8, and May 9 and 10.

The schedule was revised as follows:

February 25 - 8 -12 noon
March 7 - 5:15 pm
March 8 - 5:15 pm
May 8 - 5:15 pm
May 10 - 5:15 pm

The Mayor and City Council considered designation of the TCC and TAC committee member participants to the Rocky River RPO. The RPO is requesting notification if there are any changes to the City's TAC and TCC representatives.

The current TCC committee members for the City are Representative - Raymond Allen, Alternate - Michael J. Ferris.

The current TAC committee members for the City are Representative - Martha Sue Hall, Alternate - Jack Neel.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the City Council approved Representative Raymond Allen and Alternate Michael J. Ferris to the TCC committee and Representative Martha Sue Hall and Alternate Ronnie Michael to the TAC committee.

The Mayor and City Council considered attendance at the NLC Congressional City Conference in Washington, DC from March 11 through March 14.

Mayor Whitley asked if any Councilmember is interested in attending, to please let the City Manager know.

The Mayor and City Council were reminded of the Stanly County Chamber of Commerce Annual Meeting at Stanly Regional Medical Center at 6:00 p.m. on Monday, January 30.

Councilmember Townsend mentioned the blasting on US Hwy. 52 that made the local news. He stated that it involved J.T. Russell & Sons. He asked how we can make neighbors aware of this in advance.

The City Manager explained this situation is regulated by the State of North Carolina and what is being done to inform others.

Chief Halliburton came before Council to speak about a possible grant opportunity for the City of Albemarle. He stated that he had Mrs. Sally Pleasant and her daughter present with him tonight and they can explain in detail about the Governor's Crime Technology grant and its purpose. If the grant is received, it will allow for up to \$60,000 in equipment and technology for the Police Department. There would be a 20% match required by the City if approved. This would include items as computers and phone systems we currently do not have. He stated that Mrs. Pleasant and her daughter have the expertise with this type service and will train our officers when and if the program is in force.

Mrs. Pleasant came before Council and explained this type program and the type of benefits the City could expect. She answered any questions that Council had.

Chief Halliburton stated that this grant application is due by January 31 and he will work together with Mrs. Pleasant in completing the application. Upon questioning of the cost, Chief Halliburton stated that if approved there would be a three way split between the County, District Attorney's office, and the City of Albemarle of around \$5,000 each agency, if all three agencies are able to participate.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the City Council approved moving forward with the application for the crime technology grant.

Upon a motion by Councilmember Underwood, seconded by Councilmember Holcomb and unanimously carried, the City Council adjourned to Wednesday, January 18 at 6:30 pm at the Rosebriar Restaurant for a meeting with

the members of the Planning and Zoning Board and the Zoning Board of Adjustment.