

REGULAR MEETING CITY COUNCIL
January 3, 2012

The City Council of the City of Albemarle met in a regular session on Tuesday, January 3, 2012 at 7:00 p.m. in the City Hall. Mayor Elbert L. "Whit" Whitley, Jr. 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.

The Mayor delivered the invocation.

The Mayor and City Council presented a retirement certificate resolution to Linda Wallace. Ms. Wallace retired on January 1, 2012 with 30.5 years of service.

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

The Mayor and City Council were presented with the audit for fiscal year ending 6/30/2011 by Mr. Ken Anderson of Anderson Smith & Wike.

Mr. Ken Anderson came before Council and gave Council a copy of a summary of the major points of the audit.

Items covered:

- 1) Fund balances for the major City funds which displayed a 4-year trend analysis for those different funds.
- 2) Property tax collection percentages showing a 4-year trend analysis and displaying the collection percentages for property, vehicle and an overall percentages.
- 3) a) Audit report – the City received an unqualified opinion on June 30, 2011.
Financial Statements = GOOD REPORT
- b) Net Change in Fund Balance – General Fund

- c) Net Change in Fund Balance – Enterprise Funds
- d) Budget Over - Expenditures
- e) Changes in Long Term Liabilities – Debt
- f) Compliance Audits

Mr. Anderson stated that the audit report was submitted to the Local Government Commission on November 22, 2011 and was accepted.

Mr. Anderson answered any questions that Council had.

Mr. Chris Chapman, Uwharrie Wheelmen came before Council to request a street closing for the Albemarle Criterium bicycle race proposed for Friday and Saturday, March 16 and 17, 2012. Mr. Chapman has indicated bicycle races would be on March 16 from 6:00 pm to 10:00 pm, and a fun run and bicycle races on March 17 from 7:00 am to 6:00 pm.

Mr. Chapman came before Council and stated that there will be around 500 participants including both days of the race and the route would be the same as last year. The start finish line would be at Main Street and Second Street and the route would include Second Street, First Street, North Street and South Street. He stated that they would need barricades and police officers at both ends of the course. Upon questioning, he and ADDC Director Kathy Almond stated that they will make sure the restaurants and downtown businesses are aware of these races and there time frame. He answered any questions that Council had.

Upon a motion by Councilmember Holcomb seconded by Councilmember Underwood, and unanimously carried, the City Council approved a street closing for the Albemarle Criterium proposed for Friday and Saturday, March 16 from 6:00 pm to 10:00 pm and March 17 from 7:00 am to 6:00 pm needing barricades and police officers at both ends of the course. The start finish line will be at Main Street and Second Street and the route would include Second Street, First Street, North Street and South Street. They are required to notify all of the restaurants and businesses along the route so as to know they cannot cross the race route once the event starts.

Mr. Matthew Tarlton, Mission of Hope, Garner, NC was scheduled as an announced delegation to come before Council to speak about the new Ordinance 11-35 concerning clothing drop boxes, but was not present.

Councilmember Hall stated that she preferred that Council not do anything on this matter since Mr. Tarlton was not present.

Councilmember Alexander relayed information about Stanly Community Christian Ministries and all of the food, clothing, etc that is donated by them. He said therefore the money stays here in this County. Each company should do this in their own communities.

Upon questioning, Mayor Whitley stated that letters did go out to the property owners where the drop boxes were previously located and he hopes they comply with our new ordinance.

The Mayor stated that Council had a copy of the municipal calendar in their agenda packets and asked if anyone had any questions.

The Mayor and City Council discussed the City's solid waste collection contract. The current contract expires on June 30, and the City Council has discussed this issue at the last several meetings. The City Manager noted that if the Council wishes to issue RFPs, then this decision needs to be made by January 3 so that staff can prepare the RFP, bring it back to City Council for approval, issue it, receive proposals, evaluate proposals, and provide a recommendation to City Council. If City Council wishes to issue RFPs, staff will also need to know if Council wishes to also solicit separate RFPs for recycling, since that would provide an opportunity for Green Pieces to also submit a proposal.

Councilmember Hall asked if any comments had been given to the City Manager and staff since the last meeting.

The City Manager stated that Councilmember Townsend had commented on the RFP's.

Councilmember Hall asked if there will be options for older couples vs. a household of 6-8 people. If so, it will be very hard to police this.

Ms. Hall stated that she would have preferred speaking with Waste Management first and trying to negotiate with them before going out for bids.

Councilmember Michael stated for city-wide curbside recycling it is typical, only around 20-25% of residents participate. We need to structure the language to say, the City only pays for residents who want to recycle and does not pay for everyone if everyone does not participate. The City Manager stated that we can look at doing this with a new contract.

Councilmember Neel asked if the City will charge more for residents that also choose recycling and itemize this charge on their utility billing.

Councilmember Alexander stated that we need to find a way to encourage residents to recycle and residents not pay for it.

Councilmember Hall asked how does Green Pieces fit into this.

The City Manager stated that potentially a contract could be awarded to another vendor and they offer recycling services also. Green Pieces can be a bidder for the recycling contract.

Councilmember Hall and Holcomb agreed that Green Pieces came in and helped the City when we really needed recycling services. Councilmember Holcomb stated that Green Pieces should be handling our recycling and only have a RFP for the solid waste.

The City Manager stated that we can have an RFP for both solid waste and recycling and Council can make a decision of what they want to do from that point. He also stated that Assistant City Manager Michael Ferris has been working on a draft RFP to Council and determining which suggestions from staff to add to the proposal.

Councilmember Underwood moved that the City go out for bids for 1) Solid Waste Contract, 2) Recycling Contract as separate bids. Councilmember Holcomb seconded the motion. Voting for the motion were Councilmembers Alexander, Holcomb, Michael, Neel, Underwood, and Townsend. Voting against the motion was Councilmember Hall. The motion carried.

The Mayor and City Council discussed the minimum housing code violations at 401 Lincolnton. The City Manager noted that this property is one of the four the City Council identified for enforcement. James Luster held an administrative hearing concerning this property and issued a compliance deadline of September 5. On October 3 the City Council granted Mr. Tim Wilson, who is attempting to acquire this property, a 90-day extension to make repairs necessary to bring the property up to the

minimum housing code standards. This extension has now expired. Planner I Carolyn Martin has taken recent photos of the structure to help judge progress. The photos verify there has been very little progress made toward improving the property. Mr. Wilson has been requested by letter to attend the meeting on January 3 to answer any questions Council may have.

Planning and Community Development Director Keith Wolf came before Council and stated that the photos that Council reviewed were taken on December 28, 2011. Mr. Wilson has not applied for a building permit for this property and the property is still showing Rosa Mae Watson as the owner but he could possibly be in the process of purchasing the property. We do not have confirmation either way. Mr. Wolf stated that the back of the building has been cleared off. Mr. Wilson is cleaning and clearing but needs to get a building permit.

Mr. Wolf answered any questions that Council had.

The City Manager stated that a decision is up to Council.

Councilmember Hall stated that we have already given him 90 days and no changes in the appearance of the property and it is time to stop.

Councilmember Townsend stated that due to the holidays could Council consider giving Mr. Wilson until next meeting on January 17 and if he does not appear at that time, move forward.

Councilmember Townsend moved that Mr. Wilson be given until Monday, January 17 to appear before Council and if he does not, move forward and to send Mr. Wilson a certified letter stating that he must appear before Council on Monday, January 17. Councilmember Holcomb seconded the motion. Voting for the motion were Councilmembers Alexander, Holcomb, Michael, Neel, Townsend, and Underwood. Voting against the motion was Councilmember Hall. The motion carried.

The Mayor and City Council considered the recommendation of the Planning Board at their meeting on December 27, 2011 to set a public hearing for a conditional use permit to allow mini storage buildings for the back corner of the Centre Pointe Plaza located at 720 NC 24/27 Hwy East which is zoned Mixed Use Shopping Center District. Council received a copy of the request and a map of the proposed CUP.

Upon a motion by Councilmember Hall seconded by Councilmember Townsend, and unanimously carried, the City Council approved setting a public hearing

for February 6, 2012 to consider a conditional use permit to allow mini storage buildings for the back corner of the Centre Pointe Plaza located at 720 NC 24/27 Hwy East which is zoned Mixed Use Shopping Center District.

The Mayor and City Council reviewed a draft letter regarding membership on the Stanly County Economic Development Commission.

Upon a motion by Councilmember Alexander seconded by Councilmember Underwood, and unanimously carried, the City Council approved the draft letter regarding membership on the Stanly County Economic Development Commission.

The Mayor and City Council reviewed a draft letter in support of the grant application to Governor's Crime Commission. The City Manager drafted a letter of support at City Council's request.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall, and unanimously carried, the City Council approved the draft letter in support of the grant application to Governor's Crime Commission.

Upon a motion by Councilmember Alexander, seconded by Councilmember Underwood, and unanimously carried, an Ordinance entitled (Ordinance 12-01) "AN ORDINANCE TO AMEND FY 2011-2012 BUDGET." passed first reading.

Upon a motion by Councilmember Hall, seconded by Councilmember Michael, and unanimously carried, an Ordinance entitled (Ordinance 12-02) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, ADOPTING A GRANT PROJECT BUDGET ORDINANCE RELATING TO THE CAROLINA THREAD TRAIL GRANT 2011-NST-03." passed first reading.

The Mayor and City Council received an update on the Wiscasset Mills redevelopment efforts. The City Manager noted that since this property is now completely within the City's control, we have made redevelopment of this tract into something that would create jobs and investment inside the City a priority.

Councilmember Townsend stated that is one reason we need to have a representative on the Economic Development Commission Board. We have not been a part of the design of the Prime Power Park.

The City Manager stated that he and Assistant City Manager Michael Ferris met with Stanly County EDC Director Paul Stratos and Robin Spinks of Greenfield on December 21 to talk about the next steps in formulating a development plan for the property. Ms. Spinks has been working with Alcoa on the Badin site in marketing this site, and she works closely with Electricities on economic development. She is going to develop a proposal for City Council by the next Council meeting that would help us determine how we should develop and market the site.

Councilmember Neel stated that he would like to state and let the public know why we are just now marketing the Wiscasset property. It is because we have been encumbered with a lease on the building with Huck Store Fixtures.

Councilmember Hall asked Mayor Whitley if he had received any word from Dave Stickler of Clean Tech. Mayor Whitley stated that he had not received a written response to his letter but has spoken over the phone with Kevin Anton of Alcoa and Dave Stickler with Clean Tech. We should hear back from them in the near future.

The Mayor and City Council considered an appointment to the Firefighter's Relief Fund Board of Trustees. Council reviewed a memo from Chief Oke. Councilmember Holcomb is a City Council appointee to this board and her two year term expires in January, and she is eligible for reappointment.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Michael, and unanimously carried, the City Council approved reappointing Councilmember Holcomb to the Firefighter's Relief Fund Board of Trustees.

The Mayor and City Council consider attendance at the Stanly County Chamber of Commerce Annual meeting. This meeting will be held on Monday, January 30 at 6:00 p.m. at Stanly Regional Medical Center. The City Manager stated that tickets

can be ordered for any board members who would like to attend this event. Mick Mixon, the Voice of the Carolina Panthers is the speaker for the event.

Councilmembers Alexander, Hall, Holcomb, Michael, Neel, and Townsend and Mayor Whitley affirmed their attendance.

The City Council was reminded of the Dr. Martin Luther King, Jr. Unity Breakfast. This event will be held on Saturday, January 14 at 8:00 am at the EE Waddell Community Center. The Mayor and several members of City Council had requested tickets for this event.

The Mayor and City Council were reminded that City offices will be closed on Monday, January 16 for the Dr. Martin Luther King, Jr. holiday.

Councilmember Hall mentioned the Congressional City Conference held every March in Washington, DC, and it being an opportunity for city leaders to learn about key issues and actions that affect cities and towns. She stated that she is interested in attending and asked if any Councilmembers would like to attend with her.

Councilmember Townsend stated that he would like to attend. He also stated that Councilmember Hall's photo was in the Nation's Cities Weekly publication in December.

Councilmember Hall stated that since the Ridge Street Extension is finalized, there is only one sign directing motorists to the airport. She said that NCDOT should be made aware of this.

City Manager Raymond Allen stated that he had spoken with a representative with NCDOT about this after Councilmember Hall mentioned this previously and will follow up.

Councilmember Michael asked if Lowder Road is a City or State Road. Public Works Director Mike Lambert stated that this is a State road. Councilmember

Michael asked that Mike Lambert contact NCDOT about the railroad crossing on this road needing attention.

The City Manager stated that he had received the 2012 calendars from ElectriCities. He stated that Albemarle is represented in one of the twelve months (November), displaying Log Cabin BBQ.

Councilmember Neel noted damage on Hawthorn Avenue, east of Belvedere Street. The damage was caused by trees being taken down and 3 feet of pavement was damaged.

A resident of Stony Gap Road from the audience asked Council if in their preparation of a request for proposals for a new solid waste contract, if it will address debris that falls off of the waste trucks while traveling to and from the landfill.

The City Manager stated that the trucks should have tops to prevent this.

Upon a motion by Councilmember Underwood, seconded by Councilmember Alexander, the meeting was adjourned.