

REGULAR MEETING CITY COUNCIL

July 10, 2023

The City Council of the City of Albemarle met in a regular session on Monday, July 10, 2023 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 Chris Bramlett, Dexter Townsend, Bill Aldridge, David Hunt, Benton Dry, and Chris Whitley.

Mayor Michael called the meeting to order.

Mayor Michael gave the invocation.

SPECIAL PRESENTATION

Proclamation – July as Parks and Recreation Month

The Mayor called up Parks and Recreation Director Lisa Kiser and then read the proclamation aloud.

Ms. Kiser made some remarks. She said that Parks and Recreation is a great program here in Albemarle and it continues to grow. She noted that she didn't have any Parks and Recreation staff here tonight because summer is their busiest season of the year and many of them are still on shift now. She considers her staff the backbone of Parks and Recreation and is excited about all of the things the department is doing to make Albemarle a place where there are a lot of things to do in the community. She noted this year's theme — **"Where Community Grows"** — celebrates the vital role park and recreation professionals play in bringing people together, providing essential services and fostering the growth of Albemarle.

Mayor Pro Tem Hall added that seeing Parks and Recreation staff cleaning up after last Friday's Food Truck Friday event in the rain shows how dedicated staff in the department are.

The Mayor spoke on behalf of Council by thanking Parks and Recreation staff for all that they do and that Council and the City appreciates them.

[Proclamation – July as Parks and Recreation Month]

The Mayor noted that there is a correction to be made on the last page of the June 26th recessed meeting minutes in the discussion about the Yadkin Pee Dee Water Management Group incorporation. He noted that the sentence referencing his statement about the ALCOA decision, it should instead read that individuals lost but the City of Albemarle supported it.

Upon a motion by Councilmember Dry, seconded by Councilmember Whitley and unanimously carried, Council approved the June 19, 2023 regular and closed meeting minutes as submitted and the recessed meeting minutes from June 26, 2023 as corrected.

AGENDA ADJUSTMENT

The Mayor called for a motion to add a road closure for a Union Chapel AME Zion Church back to school bash under the consent agenda.

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

PUBLIC HEARINGS

The Mayor announced that the developer has decided to withdraw the request for the development agreement, annexation, and rezoning of a 100-acre property on City Lake Drive near the intersection of Highway 73 (tax parcel #23160).

Since the requests have been withdrawn there is no need for Council to consider any action on them.

Mayor Pro Tem Hall asked when the developer contacted the City to withdraw their requests. Planning and Development Services Director Kevin Robinson replied that his staff heard from the developer early last week that progress on the development was not occurring and formally withdrew via email this past Friday.

Ordinance 23-13 – To Consider a Development Agreement for the Long Lake Annexation

Upon a motion by Councilmember Hall, seconded by Councilmember Aldridge and unanimously carried, Council closed the public hearing to consider a development agreement outlining development criteria between the City of Albemarle and BRD Land and Investment.

Ordinance 23-09 - Long Lake Development Request for Voluntary Annexation

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall and unanimously carried, Council closed the public hearing to consider the proposed annexation of 100 acre property on City Lake Drive near the intersection of Highway 73 (tax parcel #23160).

Ordinance 23-10 – Consider Zoning for Long Lake Development (ZMA23-04)

Upon a motion by Councilmember Hall, seconded by Councilmember Dry and unanimously carried, Council closed the public hearing to consider the proposed rezoning of tax parcel #23160 from County R-10 LLNCD to City R-10.

ADMINISTRATIVE REPORTS

Municipal Calendar

Council received an updated Council calendar. The Mayor asked if any Council member had questions or comments. Mayor Pro Tem Hall noted that the City's Fall Festival will be 1 day this year and will occur on Thursday October 26th.

CONSENT AGENDA

Consider Road Closure for Sugar Hill Reunion

Sugar Hill will hold their annual reunion August 11th – 13th in the Sugar Hill neighborhood. The event will take place from 10:00 am – 11:00 pm daily. Requested Roads to be closed:

- T.E. White Sr. Dr. From Adelaide St. To Elizabeth St.

Consider Road Closure for Union Chapel AME Zion Church Back to School Bash

Union Chapel AME Zion Church is hosting a back to school bash on Sunday, July 30th from 2:00 pm – 5:00 pm. Road closure includes:

- Martin Luther King Jr. Drive from Lincoln Street to Wall Street

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

- Road closures as specified in the application for the Sugar Hill Reunion on August 11th – 13th and
- Road closures as specified in the application for the Union Chapel AME Zion Church back to school bash on Sunday, July 30th.

NEW BUSINESS

Consider Setting a Public Hearing for a Request to Annex Approximately 86-Acres on City Lake Drive (Annexation 23-02)

AX-23-02 is a requested annexation of approximately 86+/- acres on City Lake Drive near the intersection of Poplin's Grove Church Rd/Kingsley Drive, Tax# 13976. The property is adjacent to the primary City limits of Albemarle along Parkwest and Stanly Community College properties. The property is currently zoned County RA and the applicants are requesting City R-10 which would enable them to build up to 375 single family homes and/or up to 563 duplexes. This property has been petitioned to be annexed and zoned R-10 twice in the last 2 years. During this time the applicants expressed interest in a cluster subdivision of between 160 and 180 lots. At this time there is no detailed proposal for a subdivision with this annexation request. Staff has not been provided with any information demonstrating that the concerns raised when the annexation was previously denied have been addressed in this request.

Councilmember Whitley made a motion to adopt Resolution 23-18 to hold a public hearing on Monday August 21st for the annexation of approximately 86+/- acres on City Lake Drive near the intersection of Poplin's Grove Church Road/Kingsley Drive, Tax# 13976, which was seconded by Councilmember Dry.

Before the vote a County resident in the audience addressed Council by saying that she has had interest in this annexation request since it first came to Council and noted that she would not be able to attend the proposed public hearing date of August 21st. She asked Council if she could be video conferenced in. The Mayor asked for the City Attorney to respond with approved methods of obtaining public comments for public hearings if residents cannot attend in person. The City Attorney noted that written public comments can be submitted to the Clerk in advance of the public hearing date.

The Mayor called for a vote on the motion. Council unanimously approved the motion.

[Resolution 23-18 - Setting a Public Hearing for a Request to Annex Approximately 86-Acres on City Lake Drive (Annexation 23-02)]

Information – Street Preservation and Maintenance Project Update

City Manager Michael J. Ferris summarized the update for Council. JT Russell & Sons, Inc have been awarded the most recent contract for the Pavement Maintenance project. There was a pre-construction meeting held on May 22nd to review the contract and work schedule details. Performance bonds have been received and a notice to proceed was issued on Tuesday, May 30th.

As of this writing, the City is waiting on JT Russell to work within their current schedule on other projects to start some of our most critical (time sensitive) streets. Those would be the portion of S. Second Street and Berry Ave. along the entrance of East Albemarle Elementary School. We anticipate JT Russell starting later this month.

All other remaining streets listed in the project will be completed according to time schedule and vicinity where work is being held.

Public Works Director Ross Holshouser came in front of Council to answer questions. Mayor Pro Tem Hall commented that she has noticed the work on South Second Street but mentioned a pothole on North Second Street near Salisbury Street. The Mayor replied that this is a NCDOT maintained area and that the pothole was repaired today.

Mayor Pro Tem Hall also encouraged Public Works to get the street work done near East Albemarle Elementary School soon since they will be starting the school year earlier this year.

COMMENTS

Councilmember Townsend:

- He congratulated Rhett Lowder for being drafted into Major League Baseball.
- He congratulated Assistant City Manager Darren Rhodes for speaking at the NC Economic Development conference and representing the City of Albemarle well.
- He gave best wishes to the teenage son of TA McClendon who is participating in a national cooking competition and is one of the participants going into elimination competition this coming Thursday.

Councilmember Bramlett:

- He passed along a comment from his wife extolling the concept of placing street signs on mast arms of stoplights.
- He commented that there should be a source of pride in the City when local people do great things and are recognized nationally.

Mayor Pro Tem Hall:

- She followed up on an inquiry she made at a recent meeting about reference to the Second Street Alleyway in a monthly departmental report. The City Manager replied that at that meeting when first raised by her he noted that the alleyway was referencing the one by the Carpino property and the new Sweet Shop site and could not be any other alleyway than that.
- He noted that Planning references the 2028 Land Use Plan in its analyses for items brought to Council and wondered when the 2028 plan was developed. Planning and Development Services Director Kevin Robinson replied that the plan was developed in 2008. She followed by asking if there was another plan in the works to be developed because she is aware that Centralina Regional Council could assist with that process. Mr. Robinson noted that he has been in contact with CRC about initiating a new development plan, and his department already has contracted pieces of that process out.
- Mayor Pro Tem Hall asked if the Council/Planning and Zoning Board meeting date has been set noting that she recalled potentially a September date. Mr. Robinson replied that Planning would like Council's input on potential dates.
- In relation to Council's recent process of appointing and reappointing members to the various Council-appointed boards and commissions, she wanted to comment that in her motions for

selection of candidates for the boards and commissions based on the applicant pool Council received, she did take into account individual applicants' ranking of interest in her recommendations to Council. She felt that she was following the process appropriately.

- Per the demolition of the Badin property on April 26th she thanked Mr. Robinson for follow up but commented that the debris from that demolition still isn't cleaned up. Mr. Robinson replied that the contractor the City has engaged to do the clean-up work had a recent medical emergency and once he is back to health Planning will get a date to have the clean-up work done, hopefully next week.
- For the Morgan Hills subdivision how many houses have been completed so far? Mr. Robinson replied that 70% - 80% of Phase I is completed at this point, and Council has approved 2 phases of development for that subdivision.

Councilmember Whitley:

- He rode through the ABC site recently and commented that it is shaping up well.
- Last weekend he ate at the new restaurant in the Albemarle Hotel location and noticed that there was a lot of activity going on downtown that day. It's good to see all the people in the streets and the historic downtown signs being used. There's a lot of things going on in Albemarle now.
- He commented that he was sad to see the What A Burger sign smashed after the bad weather Albemarle had.

CLOSED SESSION

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, unanimously carried, Council approved moving into closed session pursuant to N.C.G.S. 143-318.11(a)(3) consult with the City Attorney and N.C.G.S. 143-318.11(a)(4) Economic Development.

RETURN TO OPEN SESSION

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hunt, 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) consult with the City Attorney and N.C.G.S. 143-318.11(a)(4) Economic Development.

The Mayor stated that the City will notify WM that it will not renew its contract for solid waste collection.

The Mayor called for a motion to draft an RFP for bid to contract out solid waste collection consisting of weekly municipal solid waste collection, biweekly recycling collection, and bulk item collection which includes construction and demolition and white goods pick up to begin on July 1, 2024.

Councilmember Aldridge called the motion, seconded by Councilmember Townsend and was unanimously carried.

The Mayor called for a motion to develop a City-managed in-house yard waste collection program to begin by July 1, 2024.

Councilmember Hunt called the motion, seconded by Councilmember Aldridge, and upon a vote, the motion was passed with 6 Council members voting for the motion and 1 Council member voting against the motion. Councilmember Townsend voted against the motion.

The Mayor called for a motion to decline the submitted bid for purchase and redevelopment of the old Police Headquarters building, and to put the RFP back out for bid with a submission deadline of September 30, 2023.

Councilmember Bramlett called the motion, seconded by Councilmember Dry, and was unanimously carried.

The Mayor announced that Council would adjourn to Monday, August 7, 2023 at 6:30 pm in City Hall for a regularly scheduled meeting.

Upon a motion by Councilmember Dry, seconded by Councilmember Hunt, unanimously carried, the meeting was adjourned.