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Regular Meeting
Monday, January 6, 2020
7:00 PM
Council Chambers
Meeting Agenda

Call Meeting To Order:

1. Mayor Michael

Invocation:

2. Mayor Michael

Approval Of Minutes:

3. Consider Approval of December 16 Regular Session and December 16 Closed Session Minutes.

Public Hearings:

4. Ordinance 20-01 - Consider Text Amendment to add Chapter 95: Non-Residential Building and Vacant Property Maintenance Standards

Agenda Adjustments:

Unannounced Delegations:

Municipal Calendar:

5. Municipal Calendar

Unfinished Business:

6. Consider Appointments to City Boards & Commissions

New Business:

7. Update on Public Housing Door Project
8. Discussion of Albemarle Business Center
9. Ordinance 20-02 - To Name a New City Street as Barney Poplin Drive.
10. Consider Attendance at the Stanly County Chamber of Commerce Annual Meeting
11. Information - Employee Service Day
12. Reminder - Dr. Martin Luther King, Jr. Unity Prayer Breakfast will be Saturday, January 18 at 8:00 a.m. at the EE Waddell Community Center
13. Reminder - City Offices will be Closed on Monday, January 20 for the Reverend Martin Luther King, Jr. Holiday.

Adjournment:

14. Adjourn to Tuesday, January 21 at 7:00 p.m.

Print

Title – Mayor Michael

Description:

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
No Attachments Available	

APPROVALS:

Date/Time:	Approval:	Department:	
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Print

Title – Mayor Michael

Description:

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
No Attachments Available	

APPROVALS:

Date/Time:	Approval:	Department:	
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Print

Title – Consider Approval of December 16 Regular Session and December 16 Closed Session Minutes.

Description:

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
<input type="checkbox"/> Dec16.doc	December 16 Regular Session

APPROVALS:

Date/Time:	Approval:	Department:	
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REGULAR MEETING CITY COUNCIL
December 16, 2019

The City Council of the City of Albemarle met in a regular session on Monday, December 16, 2019 at 7:00 p.m. in the Council Chambers of City Hall. Mayor Ronnie Michael presided, and the following Councilmembers were present, to-wit: Mayor Pro Tem Martha Sue Hall, Bill Aldridge, Chris Bramlett, Martha E. Hughes, Shirley D. Lowder, Dexter Townsend, and Chris Whitley. Absent, none.

Mayor Michael called the meeting to order.

SPECIAL PRESENTATION

**City of Albemarle Retirement Certificate to E. Paulette Bowers
- 13 years, 10 months of service**

The December 16 meeting is the last regular meeting for City Clerk Paulette Bowers. Her last working day with the City will be Friday, December 27.

Ms. Bowers thanked Mayor Michael and the current City Council as well as the eight previous Councilmembers that she had worked with and stated that 4 of those 8 had passed away. Also, she thanked previous Mayor “Whit” Whitley, previous City Manager Raymond Allen, and current City Manager Michael J. Ferris whom she has worked with her entire career with the City since 2006.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, unanimously carried, the minutes of the November 26 adjourned session, November 26 closed session, December 2 regular session and December 2 closed session minutes were approved as submitted.

PUBLIC HEARING

Consider Revised Agreement and Ordinance 19-44 to Fund City of Albemarle and One NC Incentive Grants for Enforge

Introduction

This hearing is to receive public input on a modification of Enforge's Incentive Agreement with Albemarle so the payment of incentives can be coordinated between The City Economic Development Grant and the One North Carolina Grant. The City Council approved awarding the Grant to Enforge with Resolution 18-15 on September 4, 2018. The One NC Grant is awarded over three years and the City Economic Development Grant is awarded over an eight year period. No one spoke for or against the issue at the hearing.

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

Upon a motion by Councilmember Hughes, seconded by Councilmember Lowder, and unanimously carried, the City Council approved the revised agreement to fund the City of Albemarle and One NC Incentive Grant for Enforge.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Townsend, and unanimously carried, the following Ordinance was adopted:

(Ordinance 19-44 – To fund City of Albemarle and One NC Incentive Grants for Enforge)

Agenda Adjustments

1. Add (4) Economic Development to the Closed Session
2. Move New Business Item 11, Drainage Right of Way Agreement with American Fiber and Finishing to Announced Delegations

Upon a motion by Councilmember Townsend, seconded by Councilmember Lowder, and unanimously carried, the City Council approved the agenda adjustments.

ANNOUNCED DELEGATION

Drainage Right of Way Agreement with American Fiber and Finishing

The City Manager noted that the City Attorney has drafted an agreement to allow American Fiber and Finishing (AF&F) to re-establish a ditch parallel to the abandoned NS Railroad to direct rainwater where it had flowed for decades. Without the railroad having a rail line in this location, they are no longer maintaining this area adjoining the AF&F facility. The agreement would allow AF&F to connect to the ditch on the east side of the City Greenway near our adjoining property lines. This will help prevent flooding at AF&F by directing storm water to where it has been directed and flowed for decades when the railroad owned and maintained the entire area.

Plant Manager Shane Phillips with American Fiber and Finishing was present at the meeting.

Upon a motion by Councilmember Bramlett, seconded by Councilmember Lowder, and unanimously carried, City Council approved an agreement to allow American Fiber & Finishing to re-establish a ditch parallel to the abandoned NS Railroad for rainwater connecting to the ditch on the east side of the City Greenway near the City's adjoining property lines.

UNANNOUNCED DELEGATIONS

Mr. John Haymond and Dr. Laura Harbeson came forward concerning her horses at 2620 West Main Street. They stated that several neighbors that live on Royal Avenue came before Council on November 18. They would like to clear up some of the false allegations that were made by them on November 18.

Dr. Harbeson stated that Planning and Development Services Director Kevin Robinson came out and measured for the fence around 4 weeks ago. They have been collecting donated materials for this fence project and will have the work completed by the January 31 deadline. Also, Dr. Harbeson stated that concerning the manure allegation, they have picked up manure at least 55 times since September which is around every other day when the allegation was originally made by the opposition.

Dr. Harbeson handed out to Council a document with photos showing the old ordinance vs the new ordinance concerning horses. She stated that she is trying to do all she can to stay in this location and provide her services as well as keep peace with the neighbors.

Mr. Haymond, 617 Azalea Drive, stated that they are very frustrated with the allegations made by Mike Lambert on November 18 and before and they just want to know how the process works. He asked who is validating these allegations. Who determines the validity of each claim made?

Mayor Michael stated that this is a public forum and both sides have a right to be heard by Council and then staff investigates the issues and situation. Hopefully, this will be resolved once the fence is up.

Mayor Michael stated that City Attorney David Beaver had previously offered to draw up an agreement with Dr. Harbeson and her neighbors. He also thanked Dr. Harbeson for being proactive and he hopes this will resolve this issue soon.

Mayor Michael asked that Mr. Haymond and Dr. Harbeson reach out to Mr. Lambert and the neighbors again and see if they will meet with you and come to some middle ground of understanding.

Councilmember Townsend asked that in the future if this could be scheduled in the future as part of the agenda and not an unannounced delegation situation as both sides have done November 18 and tonight.

Councilmember Lowder asked if they are willing to work with the other side without Council and just talk.

Councilmember Hall came into the meeting at this time.

ANNOUNCED DELEGATION

PRESENTATION OF FY 2018-19 AUDIT

Cassie Wilson from Martin Starnes & Associates presented the audit for fiscal year ended June 30, 2019. This is their first year providing audit services to the City.

Ms. Wilson gave a PowerPoint Presentation to Council reviewing highlights of the audit including the Fund Balance for 2018-2019, % of revenue in the General

Fund, % of Expenditures in the General Fund. She also reviewed the City's Enterprise Funds.

Ms. Wilson answered any questions that Council had.

Mayor Michael thanked Ms. Wilson for coming tonight.

Monthly Departmental Reports

The Mayor and City Council received a copy of the November Monthly Departmental Reports and asked if anyone had any questions.

CONSENT AGENDA

Ordinance 19-43 - To Eliminate an On-Street Handicapped Parking Designation

It was noted that these spaces were designated when there was a restaurant at this location and the parking was in the parallel configuration. Mr. Clegg Mabry has requested it be removed and with the change to angle parking, there is no actual parking or space in this location any longer.

Approve 10-Year Tax Write-Off

Per state statute, taxes need to be written off after 10 years. Staff is requesting Council's approval to write off taxes from 2007 and 2008.

City of Albemarle

2007 Levy Total: \$ 5,564,804.78

2007 Levy Collected: \$ 5,543,321.98 – 99.61% Collection Rate

2007 Levy Uncollected: **\$ 21,482.80 -- Amount to be Written Off**

Municipal Service District

2007 Levy Total: \$ 40,158.54

2007 Levy Collected: \$ 40,055.79 – 99.74% Collection Rate

2007 Levy Uncollected: **\$ 102.75 -- Amount to be Written Off**

City of Albemarle

2008 Levy Total: \$ 5,675,802.09
2008 Levy Collected: \$ 5,655,214.93 – 99.64% Collection Rate
2008 Levy Uncollected: **\$ 20,587.16 -- Amount to be Written Off**
Municipal Service District
2008 Levy Total: \$ 43,087.53
2008 Levy Collected: \$ 42,929.77 – 99.63% Collection Rate
2008 Levy Uncollected: **\$ 157.76 -- Amount to be Written Off**

Consider Request of Piedmont Natural Gas for a Gas Main Extension on Woodland Street

PNG is requesting a gas main extension on Woodland Street to an existing line to connect gas service between Broome Street and Harwood Street. Since this is an extension of service, it requires approval by City Council. If approved, an encroachment agreement will be signed to set the terms of the installation and the repair of right of way to City standard. The information package from PNG also included replacement of existing service lines.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, the City Council approved the items on the consent agenda including the following ordinance:

(Ordinance 19-43. To eliminate an on street handicapped parking designation in front of Mabry Law Office on N. Third Street.

Unfinished business

Consider Appointments to City Boards & Commissions

Upon a motion by Councilmember Bramlett, seconded by Councilmember Lowder, and unanimously carried, City Council approved delaying the board and commission appointments until the January 6 regular session meeting.

1. Discuss the Name for New Street

The City Manager noted that when the NCDOT is finished with improvements to Hilco and Barnard Street, Barnard will be renamed to Hilco and re-addressed, effectively eliminating Barnard. There is a small portion of new City street that will be constructed off of Hilco Street leading to Uwharrie Trail Apartments. A similar segment has been completed north of here at The Reserve, which is temporarily named St. A. Eventually it is planned that these two will connect.

Uwharrie Trail needs an address now for contract purposes and it would be best to have the formal street name in mind so they do not have to re-address their property later. Options for this are to re-use the Barnard Street name, which could be somewhat confusing; allow Uwharrie Trail to propose a name; or for Staff and/or Council to propose something.

Upon questioning, PDS Director Kevin Robinson stated that the street name should be the same all the way through which will affect both the Uwharrie Trail apartments and The Reserve apartments.

Upon a motion by Councilmember Aldridge, seconded by Councilmember Hall, and unanimously carried, City Council approved drafting an ordinance naming the new road Barnard Poplin Drive which is the street off of Hilco Street leading to Uwharrie Trail Apartments and all the way through to The Reserve Apartments and bring the ordinance back for Council approval on Monday, January 6, 2020.

2. Monroe Corporate Center Visit

As the City prepares for the development of the Albemarle Business Center, Council has discussed that it would be beneficial to look at what Monroe has done and to learn about their experience. The City Council asked that we look into January for our visit to the Monroe Corporate Center.

Director of Economic Development Mark Donham has reached out to Monroe and they are available for our visit on Wednesday, January 22. We will have transportation arranged and leave the City Hall at 12:30 with the intention of returning to Albemarle around 5:00

The Mayor and all Councilmembers affirmed their attendance.

3. Consider Attendance at the MLK Unity Prayer Breakfast on Saturday, January 18th.

The event is hosted by the Stanly County Chapter of the NAACP and will be held once again at the City's EE Waddell Community Center from 8:00 a.m. until 10:00 p.m.

Councilmember Hall will not be able to attend and Councilmember Whitley will let the City Manager know if he can attend.

Comments

Councilmember Hall stated that the parade event Saturday was great. She thanked Dave Andrews with 1010WSPC and Toby with the SNAP for getting this event out in the media.

Councilmember Hall thanked police officer Tim Peck who is also a cancer survivor and riding with the kids on the Grand Marshal float.

Councilmember Whitley mentioned the Tour of Homes on Sunday, December 8 and that he feels it was very successful and that this was the best one yet.

Councilmember Whitley wished everyone a Merry Christmas.

Councilmember Bramlett also mentioned how great the Tour of Homes was this year. He stated how great Kevin Robinson's home was and the B& B on Pee Dee Avenue.

Councilmember Lowder wished everyone a Merry Christmas.

Upon a motion by Councilmember Hall, seconded by Councilmember Lowder, and unanimously carried, the Mayor and City Council adjourned to a Closed Session Pursuant to N.C.G.S. 143-318.11(a) (4) (5) (6) – Economic Development, Real Estate and Personnel.

Upon a motion by Councilmember Hughes, seconded by Councilmember Aldridge, and unanimously carried, the Mayor and City Council reconvened to open session. Mayor Michael stated that a Closed Session Pursuant to N.C.G.S. 143-318.11(a) (4) (5) (6) – Economic Development, Real Estate and Personnel and there is nothing to report at this time.

The Mayor mentioned the Albemarle Business Park concerning a grant received to build a road and easement of sewer lines for the new park. He also mentioned that Chambers Engineering is supplying an agreement for the Corps of Engineers for approval.

Also, the Mayor said the State grant is in the amount of \$750,000, with the City matching \$250,000. He also said that the City has 22 months left of the 24 month time frame to spend this money. The Mayor said that this money is for the road only.

Mayor Michael stated that Council needs to make a decision soon to move forward with the road or not to move forward. He said that he is just trying to make Council aware of the urgency for a decision soon.

Upon a motion by Councilmember Hall, seconded by Councilmember Whitley, and unanimously carried, the meeting was adjourned.

Print

Title – Ordinance 20-01 - Consider Text Amendment to add Chapter 95: Non-Residential Building and Vacant Property Maintenance Standards

Description:

Conduct a public hearing and consider adopting Ordinance 20-01 to establish Non-Residential Building and Vacant Property Maintenance Standards. Proposed amendment is a new chapter for upkeep and maintenance of non-residential structures in the City.

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
<input type="checkbox"/> 20-01.docx	Ordinance 20-01

APPROVALS:

Date/Time:	Approval:	Department:	
1/2/2020 4:59 PM	Approved	City Clerk	
1/2/2020 4:59 PM	Approved	Administration	

ORDINANCE 20-01

AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA
CONCERNING AN AMENDMENT TO THE CITY ORDINANCES OF THE
CITY OF ALBEMARLE, NORTH CAROLINA

BE IT ORDAINED by the Council of the City of Albemarle, North Carolina, as follows:

SECTION 1. City of Albemarle Code of Ordinance Title IX: Planning and Regulation of Development is hereby amended by adding Chapter 95: “Non-Residential Building and Vacant Property Maintenance Standards”, as follows:

**📖 CHAPTER 95: NON-RESIDENTIAL BUILDING AND VACANT
PROPERTY MAINTENANCE STANDARDS**

Section

General Provisions

- [95.001](#) Purpose and Scope
- [95.002](#) Definition of Terms
- [95.003](#) Applicability and Compliance
- [95.004](#) Code Enforcement Officer
- [95.005](#) Reserved
- [95.006](#) Reserved

Vacant Properties

- [95.007](#) Prevention of Blight Through Vacancy
- [95.008](#) Duties and Responsibilities of the Owner
- [95.009](#) Registration Required
- [95.010](#) General Maintenance of Vacant Properties
- [95.011](#) Security Requirement
- [95.012](#) Inspections
- [95.013](#) Enforcement, Violations and Penalties
- [95.014](#) Appeals

[95.015](#) Severability

[95.016](#) Reserved

Maintenance Standards and Responsibilities

[95.017](#) Life Safety Maintenance Responsibility of the Owner

[95.018](#) Regulation of Duties and Responsibility to Occupancy

[95.019](#) Duties and Responsibilities of Operator

[95.020](#) Reserved

Repair and Demolition

[95.021](#) Demolition of Commercial Buildings by Owner

[95.022](#) Unsafe Buildings, Condemned

[95.023](#) Building and Premises Damaged

[95.024](#) Inspection and Abatement Procedures

[95.025](#) Appeals

[95.026](#) Consideration of Appeals

[95.027](#) Amendments, Misc.

GENERAL PROVISIONS

95.001 PURPOSE AND SCOPE

(A) Purpose. In accordance with State Statutes G.S. 160D Article 11 and including sections 160D-1101 through 160D- 1201, it is the purpose of the provisions of this Code to provide a just, equitable and practical method, whereby non-residential and/or commercial buildings or structures which from any cause, endanger the life, limb, health, property, safety, or welfare of the general public or their occupants, diminish property values or detract excessively from the appropriate appearance of the commercial area, may be required to be repaired, vacated or demolished. It is the further purpose of this Code to preserve the character and integrity of the community and to promote the comfort, happiness and safety of community residents, and to minimize discordant, unsightly and offensive surroundings while preserving beauty as well as the usefulness of the environment. Additionally, the Albemarle City Council finds that the presence of properties exhibiting evidence of vacancy and neglect pose special risks to the health, safety, and welfare of the community and therefore require heightened regulatory attention. The provisions of this Code are cumulative with and in addition to any other remedy provided by law including the current editions of standard codes adopted by the City of Albemarle and Stanly County.

Special emphasis shall be placed on Volume IX-Existing Buildings of the N.C. State Building Code (or any Code that may replace this volume) regarding repair standards and requirements for life-safety. The objective of the Existing Buildings Code is "...to promote the safe continued use and re-use of existing buildings."

(B) Scope. Unless expressly stated otherwise in this Chapter, the provisions of this Code shall apply to all commercial buildings or other non-residential structures which are now in existence or which may be built or amended. Residential structures will fall under enforcement of the Minimum Housing Standards for the City of Albemarle. For combination structures, both Codes would apply.

95.002 DEFINITION OF TERMS

(A) General Definitions and Interpretations. Unless specifically defined in Section 95.002 (B), words used in the Non-Residential Building and Vacant Property Maintenance Standards Code shall have their respective customary dictionary definitions. For the purpose of these regulations certain words, terms or phrases used herein are interpreted and defined as follows:

Words used in the present tense shall include the future tense.

Words used in the singular shall include the plural and words used in the plural shall include the singular,

The words "shall" and "will" always indicate MANDATORY.

The words "should" and "may" always indicate OPTIONAL.

The word "lot" includes the words "plot" and/or "parcel".

The word "building" includes the word "structure".

The word commercial includes the word non-residential

The word "person" includes a "firm, association, organization, partnership, trust, company, corporation and/or individual.

The word "use" includes the terms "arranged, designed, and/or intended" for a use, activity and/or purpose.

The term "Zoning Map" shall always indicate the OFFICIAL ZONING MAP of the City of Albemarle, North Carolina.

The "Planning and Zoning Board" shall indicate the City of Albemarle Planning and Zoning Board, Zoning Board of Adjustment or other entity established by the

Albemarle City Council to hear quasi-judicial cases of appeals and designated to preside over such cases as applicable in this chapter.

(B) Special Definitions. The following special definitions apply to these Non-Residential Building and Vacant Property Maintenance Standards and its amendments plus any and all ordinances made a part of this Code by reference thereto. Amendments to these definitions shall apply only when all procedural requirements are met.

“Building”. Any covered structure intended for shelter, housing or enclosure of persons, animals, facilities, equipment or chattels; the term "building" shall be construed to include the term "structure"; furthermore, it shall be construed as if followed by the term "or part thereof."

“Building, Accessory”. A detached subordinate building located on a lot, parcel or tract whose use is incidental to that of the principal building. A building cannot be considered accessory unless it accompanies a principal building on the same lot, parcel or tract.

“Building, Principal”. A building in which the principal use of the lot, parcel or tract is conducted.

“Building of Historical Value”. A building within the City of Albemarle which is listed on the National Register, located in the City of Albemarle Local Historic District, or constituting special significance to the general citizenry of the City of Albemarle due to age, history, architectural design, human occurrence, culture and possessing integrity of design, setting, materials, feeling and association.

“Building Code”. The North Carolina State Building Code.

“Code Enforcement Officer”. The person(s) delegated as such by the City of Albemarle for the purpose of enforcement of this Chapter.

“Commercial Business”. Any business or enterprise which produces and/or offers for sale products and/or services which, in any manner, conducts commerce, within the City limits of the City of Albemarle.

“Days”. Means consecutive calendar days.

“Deterioration”. The condition of a building or part thereof, characterized by holes, breaks, rot, crumbling, rusting, peeling paint or other evidence of physical decay or loss of structural integrity.

“Evidence of Vacancy”. Any aesthetic condition that on its own or combined with other conditions present would lead a reasonable person to believe that the property is vacant. Such conditions include, but are not limited to, overgrown or dead vegetation, extensively chipped or peeling exterior paint, exterior walls in poor condition, porches and steps in poor condition, roof in poor condition, broken windows and other signs of

general disrepair, accumulation of newspapers, circulars, flyers or mail, past due utility notices or disconnected utilities, accumulation of trash, junk or debris, the absence of window coverings such as curtains, blinds, or shutters, the absence of furnishings or personal items consistent with commercial habitation, statements by neighbors, passersby, delivery agents, government employees that the Property is vacant.

“Fire Hazard”. (see also Nuisance) Anything or act which increases, or may cause an increase of the hazard, likelihood or menace of fire to a greater degree than reasonable for the conduct of the commercial business on the premises, or which may unreasonably obstruct, delay, or hinder, or may unreasonably become the cause of an obstruction, a delay, a hazard or an unreasonable hindrance to the prevention, suppression, or extinguishment of fire.

“Involuntary Vacancy”. An unoccupied nonresidential building structurally damaged as a result of fire, wind or other perils, through no fault of the owner, for which an insurance claim has been filed; provided that said vacancy shall not exceed one hundred eighty (180) days from the date that such damage occurred, after which said structure will be deemed an abandoned building as defined herein.

“Mixed Occupancy”. Any building that is used for two or more occupancies classified by different occupancy use groups.

“Nuisance”:

1) Any public nuisance known as common law or in equity jurisprudence, or as provided by the statutes of the State of North Carolina, or the ordinances of the City of Albemarle; or

2) Any condition including an attractive nuisance which may prove detrimental to human health or safety whether in a building, on the premises of a building, or part of a building or upon an occupied lot; or

3) Physical conditions dangerous to human life or detrimental to health of persons in, on or near the premises where the condition exists; or

4) Unsanitary conditions or conditions that are dangerous to public health, well-being or the general welfare; or

5) Fire hazards or other safety hazards.

“Operator”. Any person who has charge, care or control of premises or a part thereof, whether with or without the knowledge and consent of the owner, or any person, individually or jointly, entitled to possession regardless of whether the premises are actually occupied or not.

“Owner”. All individuals, associations, corporations and other parties that have

interests of record in a building or any that are in possession thereof;

“Plumbing”. All of the following supplies, facilities, and equipment: gas pipes, gas burning equipment, water pipes, water heaters, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower bath, installed clothes washing machines, catch basins, vents, and other similar fixtures, together with all connections to water, sewer or gas lines, and water pipes and lines utilized in conjunction with HVAC equipment.

“Premises”. A lot, plot, or parcel of land including the buildings or structures thereon, under control by the same owner or operator, devoted to or zoned for non-residential use, together with all adjacent land.

“Sanitary Sewer”. Any sanitary sewer owned, operated and maintained by the City of Albemarle and available for public use for the disposal of sewage.

“Sewage”. Waste from a flush toilet, bathtub, sink, lavatory, dishwashing or laundry machine, or water-carried waste from any other fixture, equipment or machine.

“Story”. That portion of a building between the surface of any interior floor and the ceiling next above. A basement is considered a story only when its ceiling is over six (6) feet above the average level of the finished ground surface adjacent to the exterior walls of the front entrance and/or side street entrance of the building.

“Structurally Sound”. Substantially free from flaw, defect, decay or deterioration to the extent that such structure or structural member is capable of adequately or safely accomplishing the purpose for which it was intended or designed.

“Structure”. Anything constructed or erected which requires location on the ground. The term "structure" does not include the terms "retaining wall", "fence", "utility pole" or "driveway." (Refer to the definition of "building" herein.)

“Structure, Abandoned”. Any structure whose owner has demonstrated no intent to maintain or repair. Said structure whether designed and intended for commercial or other uses, shall be vacant or not in active use, regardless of purpose or reason, for the past two- year period, and shall be determined by the Code Enforcement Officer to be unfit for occupancy based upon the standards as set forth in this Code.

“Vacant”. a Property that is not legally occupied. Legally occupied means occupancy by the owner or any business or individual whose presence therein is with the consent of the owner with utilities furnished to the Property.

“Washrooms”. Enclosed spaces containing one or more bathtubs, showers, or both, and which also shall include toilets, lavatories, or fixtures serving similar purposes.

“Water Closet Compartment”. Enclosed space containing one or more toilets, which

may also contain one or more lavatories, urinals, and other, plumbing fixtures.

“Physical Valuation”. The estimated cost to replace the building, or parts thereof in kind.

95.003 APPLICABILITY AND COMPLIANCE

(A) **Applicability and Compliance.** Every non-residential building or structure and the premises on which it is situated, used or intended to be used for non-residential or commercial business occupancy shall comply with the provisions of this Code, whether or not such building shall have been constructed, altered, or repaired before or after the enactment of this Code, and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the building, or for the installment or repair of equipment or facilities prior to the effective date of this Code. This Code establishes minimum standards for the initial and continual occupancy and use of all such buildings, and does not replace or modify standards otherwise established for the construction, repair, alteration, or use of the building, equipment or facilities contained therein except as provided in Section 92.003(B) herein. Where there is mixed occupancy, any non-residential or commercial business use therein shall be nevertheless regulated by and subject to the provisions of this Code.

(B) **Higher Standards to Prevail in Case of Conflict.** In any case where the provisions of this Code impose a higher or lower standard than that set forth in any other ordinance of the City or under the laws of the State of North Carolina, then the higher standard shall prevail.

(C) **Duty to Comply.** It shall be the duty of each and every owner, or other entity in possession of a non-residential building or premises within the City of Albemarle, where applicable, to comply with the regulations and requirements set forth in this Code. No formal authorization for occupancy from the City shall be issued unless and until all applicable sections of this Code have been complied with. No land or building or combination thereof, shall be used in a manner inconsistent with or in conflict with the requirements of this Code.

95.004 CODE ENFORCEMENT OFFICER

The Code Enforcement Officer is hereby established and shall be the person delegated as such by the City Manager or his or her designees. Unless otherwise provided it shall be the duty and responsibility of the Code Enforcement Officer to enforce the provisions of this chapter and to legally proceed against each and every person found in violation of the requirements of this Code. All inspections, regulations and enforcement of violations of the provisions of this Ordinance, unless expressly stated to the contrary, shall be under the direction and supervision of the Code Enforcement Officer.

95.005 RESERVED

95.006 RESERVED

VACANT PROPERTIES

95.007 PREVENTION OF BLIGHT THROUGH VACANCY

It is the purpose and intent of the Albemarle City Council, through the adoption of this Chapter, to establish minimum standards for the maintenance of all vacant commercial and non-residential properties as a mechanism to preserve the integrity of Albemarle's commercial districts from becoming blighted through the lack of adequate maintenance and security of abandoned and vacant properties and to prevent the appearance of vacancy or neglect on occupied properties. Additionally the Town desires to deter crime and theft of materials, to minimize loss of property value to vacant properties and surrounding occupied properties, to reduce the risk of damage from fire, flooding or other hazards, and to promote the comfort, happiness and emotional stability of area residents. The City finds that the presence of properties exhibiting evidence of vacancy pose special risks to the health, safety, and welfare of the community and therefore require heightened regulatory attention. The provisions of this Chapter shall apply to all non-residential and commercial properties in the City Limits of Albemarle.

95.008 DUTIES AND RESPONSIBILITIES OF THE OWNER

In accordance with general statutes 160A-174 and 160A-194, it shall be the duty and responsibility of the owner of any non-residential premises to see that said non-residential premises under the control of the owner are maintained to minimize the appearance of vacancy and prevent the appearance of blight or neglect in accordance with the following sections.

95.009 REGISTRATION REQUIRED

In order to determine and document the location of vacant structures for the purpose of monitoring blight, preventing abandonment of structures, deterioration of buildings leading to unsafe conditions, improving quality of life for residents and helping to improve the economic vitality of the City, Albemarle City Council authorizes the City Manager and his or her designees to initiate a mandatory vacant property registry program as is deemed necessary by the City Manager and as resources permit. Once initiated, said program shall consist of the following requirements for owners of commercial and non-

residential properties in the areas designated by the City Manager or his or her designee, up to an including the entirety of the incorporated limits of the City. Unless otherwise formally decided upon by City Council, such registration shall be maintained free of charge to vacant property owners, except in the event of violations as provided in this Chapter.

(A) Any vacant commercial or non-residential property that has been vacant for at least 180 days must be registered by the Owner with designated City Staff, either (1) of the owner of a Vacant Property's own accord before receiving a Notice of Registration Requirement, or (2) within 30 days of receiving a Notice of Registration Requirement from the Town.

(B) The City will send an initial Notice of Registration Requirement to the Owner of Record of Properties that exhibit Evidence of Vacancy as determined by the Code Enforcement Officer or his or her designee(s). Owner shall register Property within the time period set forth in Subsection (a) of this section unless Owner can provide clear and convincing evidence to the Code Enforcement Officer or his or her designee(s), within such time period, that the Property is not Vacant.

(C) The Registration shall contain for each vacant property:

- (1) the name of the Owner (corporation or individual),
- (2) the direct street/office mailing address of the Owner and P.O. Box if applicable,
- (3) a direct contact name and phone number,

(D) Any changes in the owner's information, including new ownership shall be reported to the City Staff within thirty (30) days of such changes.

(E) Any future occupancies of the building for non-residential purposes shall be reported to City Staff within (30) days with proof of occupancy.

(F) Vacant properties shall remain subject to the registration, maintenance, and security requirements of this Chapter as long as they remain vacant.

(G) Failure to provide requested information upon receipt of Notice of Registration Requirement or to provide updated information in accordance with the times provided may result in civil penalties as provided in Chapter 10 of City Code of Ordinances.

95.010 GENERAL MAINTENANCE OF VACANT PROPERTIES

All commercial and non-residential properties, including both vacant and occupied, shall be maintained in such a way as to minimize the appearance of vacancy and subject to this Chapter shall be kept in compliance with the following maintenance requirements:

(A) The exteriors of building(s)/structure(s) on the Property shall be painted and maintained in a way that does not does not exhibit any Evidence of Vacancy.

- (1) All exterior surfaces, which require paint or sealing in order to protect the underlying surface from deterioration shall be so painted or sealed.
- (2) All exterior surfaces, which have been painted, shall be maintained free of peeling and flaking paint or stucco. Where 33% or more of the aggregate of any painted or stuccoed wall shall have peeling or flaking paint or stucco worn away, the entire wall shall be scraped and repainted or recovered with stucco.
- (3) All wood and masonry materials shall be maintained, repaired or replaced when necessary to prevent deterioration.

(B) The yard(s) of the Property shall be maintained in a way that does not provide Evidence of Vacancy.

- (1) Where landscaping has been incorporated in the development plan of a commercial business (or where landscaping has been required by the City as part of a development plan including parking plan) the landscaped areas shall be maintained in a manner to equal and reflect the original landscaping approved for the development plan.

(C) The deck(s) and porch(s) located on the Property shall be maintained in a way that does not provide Evidence of Vacancy.

(D) The window(s) and door(s) of building(s)/structure(s) of the property shall be intact and operable and shall be maintained in a way that does not provide Evidence of Vacancy.

(E) The Property, including all external grounds shall be maintained so as to exhibit no Evidence of Vacancy.

- (1) Where a parking lot is constructed as part of a commercial business or as a business itself and covered by an impermeable surface, the parking lot and all curbing, surfacing, sidewalks, and other parts thereof shall be maintained free of broken/cracked surfaces, holes or other similar conditions. All commercial parking lots so described herein, shall be repaired or replaced with like material.
- (2) Where curb cuts are abandoned due to new construction, change of access or general discontinuation of use, said curb cut shall be closed and replaced with a standard sidewalk and curb and gutter arrangement in accordance with City regulations and policies.

(F) The storefronts and facades of buildings shall be maintained in a way that does not provide Evidence of Vacancy.

(1) All awnings and signs must not have more than 30% of the area that is torn, tattered, or missing for a period longer than 60 days.

(G) The interiors, when visible to passersby through storefront windows, shall be maintained in a way that does not exhibit Evidence of Vacancy.

95.011 SECURITY REQUIREMENTS

Vacant properties subject to this Chapter shall comply with the following security requirements.

(A) The Property shall be maintained in a secure manner so as not to be accessible to unauthorized persons. This includes, without limitation, the closure and locking of windows, doors (including but not limited to walk-through, sliding, and garage), gates, pet doors, and any other such opening of such size that it may allow a child to access the interior of the Property or structure(s).

(B) Broken windows shall be replaced and/or re-glazed; windows at street level shall not be boarded up, except as a temporary security measure when approved by the Code Enforcement Officer.

95.012 INSPECTIONS

The Code Enforcement Officer, or his or her designees, shall have the authority and the duty to inspect properties subject to this Chapter for compliance and to issue citations for any violations. The Code Enforcement Officer shall have the discretion to determine when and how such inspections are to be made, provided that their policies are reasonably calculated to ensure that this Chapter is enforced.

95.013 ENFORCEMENT, VIOLATIONS AND PENALTIES

As part of a routine inspection program the Code Enforcement Officer is authorized to enforce the provisions of this Chapter including documentation of observed violations and issuance of penalties and other methods as defined in this Chapter to affect abatement of such violations and ensure compliance with this Chapter.

(A) It shall be unlawful for any Owner to be in violation of any of the provisions of this Chapter.

(B) Any person who violates a provision of this Chapter or fails to comply with any order made thereunder and from which no appeal has been taken, or who shall fail to

comply with such order as affirmed or modified by appeal, or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in this Chapter.

(C) The imposition of one penalty for any violation shall not excuse the violation, or authorize its continuance.

(D) All such persons shall be required to submit an acceptable plan of action to the Code Enforcement Officer within 10 business days of notification of violation. This plan of action must include, but is not limited to, a description of the work to be done, by whom and a specific schedule. Plans shall be reviewed by the Code Enforcement Officer and work is to commence within 15 days of his or her approval. When not otherwise specified, failure to meet any stated condition within 10 days of required action shall constitute a separate offense.

(E) Failure to comply with the requirements of this section may result in civil penalties as provided in Chapter 10 of City Code of Ordinances

95.014 APPEALS

Any person aggrieved by any of the requirements of this Chapter may present an appeal in writing to the Planning Board in accordance with provisions of this Chapter.

95.015 SEVERABILITY

Should any provision, section, paragraph, sentence or word of this Chapter be determined or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this chapter shall remain in full force and effect.

95.016 RESERVED

MAINTENANCE STANDARDS AND RESPONSIBILITIES

95.017 LIFE SAFETY MAINTENANCE RESPONSIBILITIES OF THE OWNER

In accordance with general statutes 160A-439 and 160A-441, it shall be the duty and responsibility of the owner of non-residential premises to see that said non-residential premises under the control of the owner are maintained to ensure that:

(A) The premises are free of all hazards to the safety of the occupants, customers or other persons utilizing the premises or to pedestrians and/or vehicles passing thereby, specifically including, but not limited to, the following conditions in such building:

- (1) Interior walls or vertical studs which list, lean or buckle to such an extent as to render the building unsafe.
- (2) Supporting member or members which show thirty-three (33) per cent or more damage or deterioration, or non-supporting, enclosing or outside walls or coverings which show twenty-five (25) per cent or more of damage or deterioration.
- (3) Floors or roofs which have improperly distributed loads, which are overloaded or which have insufficient strength to be reasonably safe for the purpose used.
- (4) Roofs that leak or fail to be weather tight. Unkempt roofs may lead to dangerous mold and loss of structural integrity.
- (5) Such damage by fire, wind or other causes as to render the building unsafe.
- (6) Dilapidation, decay, unsanitary conditions or disrepair which is dangerous to the health, safety or general welfare of the occupants or other people in the City.
- (7) Inadequate or obstructed facilities for egress in case of fire or panic.
- (8) Defects significantly increasing the hazards of fire, accident or other calamities.
- (9) Lack of adequate ventilation, light, heating or sanitary facilities to such extent as to endanger the health, safety or general welfare of the occupants or other residents of the City.
- (10) Lack of proper electrical, heating or plumbing facilities required by this Code which constitutes a health or a definite safety hazard.
- (11) Violation of the City Fire Code or other conditions constituting a fire hazard in such building or on the premises such as, by way of example and not limitation, the accumulation of garbage, rubbish or other combustible material.
- (12) Garbage, trash or rubbish in or near the structure or on the premises which is likely to attract vermin rodents or insects or become a breeding place for vermin rodents or insects.

(B) The premises are free of loose and overhanging objects, which, by reason of location above ground level, constitute a danger of falling on persons on the premises or in the vicinity thereof. (N.C. State Building Code reference - Sec. 105.12 Unsafe

Buildings.)

(C) The premises are free of holes, excavations, breaks, projections, or obstructions on walks, driveways, parking lots and parking areas, and other parts of the premises which are accessible to and used by persons on the premises. All such holes and excavations shall be filled and repaired, walks and steps replaced and other conditions removed where necessary to eliminate hazards or unsafe conditions with reasonable dispatch by the owner upon their discovery.

(D) The exterior of the premises and structure is in good repair and free from deterioration so as not to constitute a nuisance or hazard.

(E) All surfaces shall be maintained free of cracked or broken glass, loose shingles, loose wood, crumbling stone or brick, loose or broken plastic or other dangerous objects or similar hazardous conditions. (N.C. State Building Code - Section 105.12 Unsafe Buildings.)

(F) All floors, interior walls and ceilings of every structure shall be structurally sound and shall be maintained in a good condition compatible with its business use, and where open to the public shall be maintained in a condition so as not to constitute a hazard to the public.

(G) Structures attached or unattached to the principal commercial structure, which are found by the Code Enforcement Officer to be structurally deficient, shall be properly repaired or demolished.

(H) All existing objects and elements on and protruding from building walls and roofs and surrounding premises, such as empty electrical or other conduits, unused sign brackets or other protrusions shall be removed, or otherwise made safe.

(I) Walls.

(1) All foundation walls shall be kept structurally sound, and capable of bearing imposed loads safely. (N.C. State Building Code reference Sec. 1302.3 - Concrete Footings and Sec. 1302.5 - Foundation Walls.)

(2) Where a wall of a building has become exposed as a result of demolition of adjacent buildings, said wall must have all doors, windows, vents or other similar openings secured with material of the type comprising the wall. No protrusions or loose material constituting a hazard to persons upon the premises shall be in the wall. The exposed wall shall be painted, stuccoed or bricked so as not to detract from the aesthetics and value of adjacent property and weatherproofed if necessary to prevent deterioration of the wall.

(J) Windows.

(1) All windows must be tight fitting and have sashes of proper size and design.

Sashes with rotten wood, broken joints, or broken or loose mullions shall be replaced. All broken and missing windows shall be replaced with glass or plexiglass. All windows in the Local Historic District shall meet design guidelines for that district, which require glass. All exposed wood shall be repaired.

(2) All windows shall be maintained free of broken glass. Where a window glass larger than four (4) square feet becomes cracked to an extent that the largest single portion of the window free of a crack is less than 80% of the total surface area of the window glass, the window glass shall be repaired or replaced by a pane free of cracks.

(2) All openings originally designed as windows shall be maintained as windows, complete with sills, lintels, frame and glass, unless specifically approved by the Fire Chief for enclosure. Where the Fire Chief approves the enclosure of a window, it must be so enclosed by either bricking the opening, blocking the opening with concrete blocks and stuccoing the exterior to prevent water intrusion and painted or stained to properly conform with the other exterior portions of the building. Boarding of windows shall be temporary for a period of time agreed upon by the code enforcement officer.

(K) Signs and Awnings.

(1) All advertising structures and awnings and their accompanying supporting members shall be maintained in good repair and shall not constitute a safety hazard. Whenever an advertising sign or awning is removed all supporting members shall be removed within 90 days, unless signs or awnings are replaced. Nothing herein shall be construed to authorize any encroachments on streets, sidewalks, or other parts of the public domain by signs.

(L) Washrooms.

(1) All washrooms and water closet compartment floors shall be surfaced with water-resistant material and shall be kept in a dry and sanitary condition at all times.

(2) All washrooms shall be provided with permanently installed artificial lighting fixtures with a switch and wall plate so located and maintained that there is no danger of short circuiting from water, from other bathroom facilities or from splashing water. (National Electric Code reference - Sec. 300-6 Protection Against Corrosion and Sec. 380-4 Switches.)

(M) Garbage and Materials.

(1) There shall not be stored or allowed to accumulate flammable or combustible liquids or other materials on the premises unless they are of a type approved for storage by the regulations of the National Fire Protection

Association, and then only in such quantities as may be prescribed by the regulations. (Fire Protection Code reference - Sec. 1.5 Order to Eliminate Injurious or Hazardous Conditions and N.C. State Building Code Sec. 407.4.)

- (2) No garbage or solid waste shall be stored or allowed to accumulate on the premises unless contained in trash receptacles which are in accordance with the regulations of the City of Albemarle.

(N) Appurtenances.

- (1) All chimneys, flues and vent attachments thereto shall be maintained structurally sound. Chimneys, flues, gas vents or other draft-producing equipment which are in use shall provide sufficient draft to develop the rated output of the connected equipment, shall be structurally safe, durable, smoke-tight and capable of withstanding the action of flue gases. (N.C. State Building Code reference - Chimneys, Fireplace Stoves, Fireplaces and Venting Systems.)
- (2) All exterior porches, landings, balconies, stairs and fire escapes shall be provided with banisters or railings properly designed and maintained to minimize the hazard of falling, and the same shall be kept structurally sound, in good repair, and free of defects. (N.C. State Building Code reference - Sec. 1108 Outside Stairs and Exterior Balconies and Sec. 1007.4 Fire Escapes.)
- (3) All cornices shall be made structurally sound. Rotten or weakened portions shall be removed and/or replaced to match as closely as possible the original patterns. All exposed wood shall be painted. (N.C. State Building Code reference - 710.)
- (4) Gutters and downspouts shall be replaced or repaired as necessary, securely installed, and appropriately located so as not to cause a hazard to pedestrian or vehicular traffic.

95.018 REGULATION OF DUTIES AND RESPONSIBILITIES TO OCCUPANCY

The provisions of this Code that apply to the exterior or exterior components of a structure or building shall be complied with whether the structure or building is occupied or vacant. All unoccupied or vacant structures or buildings shall be secured by any party of interest to prevent the entry of unauthorized persons or the occurrences of conditions not permitted by law. Violations are punishment civil penalty under Chapter 10 of this Code of Ordinances.

95.019 DUTIES AND RESPONSIBILITIES OF THE OPERATOR

Under punishment by civil penalty Chapter 10 of this Code of Ordinances it shall be the duty and responsibility of operators and all parties in interest to commercial and non-residential structures to ensure that:

(A) All parts of the premises under the control of the parties in interest shall be kept in a safe and sanitary condition consistent with the business use and the parties in interest shall refrain from performing any acts which would render any parts of the premises unsafe or unsanitary or which would obstruct, interfere with or prevent adjacent parties in interest from performing any duty required, or from maintaining their premises in a safe and sanitary condition.

(B) Every party in interest shall be responsible for the elimination of infestation in and on the premises.

(C) Every party in interest shall maintain all plumbing fixtures in a safe and sanitary condition.

(D) No garbage or solid waste shall be stored or allowed to accumulate on the premises for a period greater than seven (7) days unless contained in a trash receptacle(s) which is in accordance with the Municipal code of The City of Albemarle.

(E) Damage to public sidewalks and/or curb and gutter located in the public right-of-way shall be repaired or replaced at no expense to the City when such damage is caused by vehicles making deliveries to the business under the control or direction of the parties in interest.

(F) Where the owner would not otherwise know of a defect of any building, portion of building or of any facility, utility or equipment required to be furnished hereunder and the same is found to be defective or inoperable, the operators or parties in interest affected thereby shall, upon learning of such defect, immediately provide notice to the owner.

95.020 RESERVED

REPAIR AND DEMOLITION

95.021 DEMOLITION OF COMMERCIAL BUILDINGS BY OWNER

Where a building is under the jurisdiction of the Code, the building may be demolished by the owner provided that the following requirements are met:

(A) If the property is in the Local Historic District obtain a Certificate of Appropriateness to demolish from the Albemarle Historic Resources Commission;

- (B) Obtain a City Coordination Form;
- (C) Obtain a Demolition Permit from the County Building Inspection Department;
- (D) Obtain Asbestos Permit from the County Building Inspection Department;
- (E) Obtain an asbestos inspection from a licensed asbestos services company;
- (F) Remove and properly dispose of all asbestos containing materials (ACM's) by a licensed asbestos removal company;
- (G) Properly close off and disconnect all sewer, gas, water and similar taps or connections;
- (H) Grade the lot to a smooth, even, finished grade, free from building material, debris, holes, and/or depressions. Where building debris remains on the site below street level, the owner must back fill the lot with no less than twelve (12) inches of clean fill which shall be graded to a smooth, even finished grade over any remaining debris;
- (I) Where walls of adjacent buildings become exposed as a result of demolition, said walls must have all doors, windows, vents or other similar openings closed with material of the type comprising the wall. No protrusions or loose material shall be in the wall. The exposed wall shall be painted, stuccoed or bricked by such building's owner so as not to detract from the aesthetics and value of the adjacent property and weatherproofed if necessary to prevent deterioration of the wall.

95.022 UNSAFE BUILDINGS, CONDEMNED

(A) Scope. This section authorizes the demolition and removal of nonresidential buildings and structures as enacted by the General Assembly of North Carolina.

(B) Findings (Unsafe Buildings Condemned). Pursuant to G.S. 160A-426 (Unsafe Buildings Condemned) every building which shall appear to the Code Enforcement Officer to be dangerous to life because of its propensity for fire or because of defective condition of walls, roof systems, floor systems, overloaded floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress, or other causes, shall be deemed or ruled to be unsafe and the inspector shall affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of said building.

(1) Nonresidential Building or Structure. The Code Enforcement Officer may declare a nonresidential building or structure within a "Community Development Target Area" to be unsafe if it meets both of the following conditions:

- a. It appears to the inspector to be vacant or abandoned;

- b. It appears to the inspector to be in such dilapidated condition as to cause or contribute to blight, disease, vagrancy, fire or safety hazard, to be a danger to children, or to tend to attract persons intent on criminal activities or other activities which should constitute a public nuisance.

(2) If the Code Enforcement Officer declares a nonresidential building or structure to be unsafe, the Code Enforcement Officer must affix a notice of the unsafe character of the structure (condemnation) to a conspicuous place on the exterior wall of the building.

(3) For the purposes of this subsection, the term "Community Development Target Area" means a "nonresidential development area" under G.S. 160A-503(10).

(C) Action In Event of Failure To Take Corrective Action. If the owner of a building or structure that has been condemned as unsafe pursuant to G.S. 160A-426 shall fail to take prompt corrective action, the Code Enforcement Officer shall give the owner written notice, by certified or registered mail to his last known address or by personal service,

(1) That the building or structure is in a condition that appears to meet one or more of the following conditions:

- a. Constitutes a fire or safety hazard;
- b. Is dangerous to life health or other property;
- c. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children;
- d. Has a tendency to attract persons intent on criminal activities or other activities which would constitute a public nuisance;

(2) That a hearing will be held before the Code Enforcement Officer at a designated place and time, not less than ten (10) days or more than thirty (30) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by representative and to present arguments and evidence pertaining to the matter; and

(3) That following the hearing, the Code Enforcement Officer may issue such order to repair, close, vacate or demolish the building or structure as appears appropriate.

(4) If the name or whereabouts of the owner cannot after due diligence be discovered, the notice shall be considered properly and adequately served if a copy thereof is posted on the outside of the building or structure in question at least ten (10) days prior to the hearing and a notice of the hearing is published in a newspaper having general circulation in the City at least once not later than one week prior to the hearing.

(D) Civil and Equitable Enforcement. Per G.S. 160A-432:

- (1) Civil Enforcement. Whenever any violation is denominated a misdemeanor under the provisions of this Part, the City, either in addition to, or in lieu of other remedies, may initiate any appropriate action or proceedings to prevent, restrain, correct or abate the violation or to prevent the occupancy of the building or structure involved.
- (2) Equitable Enforcement. In the case of a nonresidential building or structure declared unsafe under G.S. 160A-426(b), the City of Albemarle may in lieu of taking action under subsection (a), cause the building or structure to be removed or demolished. The costs incurred by the City of Albemarle in connection with the removal or demolition shall be a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as liens for special assessments provided in this Chapter. If the building or structure is removed or demolished by the City of Albemarle, the City, may in its sole discretion, reasonably exercise its right to sell the usable materials of the building and any usable property, fixtures or appurtenances found in or attached to the building. The City of Albemarle shall credit the proceeds of the sale against the cost of the removal or demolition. Any balance remaining from the sale shall be deposited with the Clerk of Superior Court for Stanly County, and shall be disbursed by the Court to the person found to be entitled thereto by final order or decree of the court.
- (3) Non-Limiting Power of Declaration. Nothing in this section shall be construed to impair or limit the power of the City of Albemarle to define and declare nuisances and to cause their removal or abatement by summary proceedings, or otherwise.
- (4) Bond For Repair or Demolition. A surety in the form of performance bond or letter of credit may be required by the Code Enforcement Officer to insure completion of the required repairs or to cover the cost of securing and demolition of a structure. The surety shall be issued to the City and shall be accompanied by a signed agreement between all parties including the necessary work to be completed and the estimated time for the owner to complete such work as determined by the code enforcement officer. The amount of the surety will be a minimum of one and one-half times (1.5) the estimated cost of the required repairs or demolition as determined by the code enforcement officer. The bond or letter of credit must be drawn from an institution licensed to do business in North Carolina and valid for the time period provided by the code enforcement officer. If work has not been completed by the agreed upon date then the code enforcement officer is authorized to use necessary funds from the surety to ensure that the work is completed, including hiring contract labor for the purpose of all necessary repairs and/or demolition such that the requirement of this ordinance are met.

(5) Receivership. In cases where owners have documented non-compliance to repair or otherwise abate violations on vacant properties or at the request of the owners of such property, the City Council may petition the Superior Court for appointment of a receiver of said property for the purposes of abating or contracting the abatement of said nuisances. Receiver of property shall be entitled to all forms and methods of repayment of expenses and shall be responsible for all aspects of property as legally afforded under related state statutes.

(E) G.S. 160A-430. Appeal; Finality of Order if Not Appealed. Any owner who has received an Order under G.S. 160A-429 may appeal from the Order to the Albemarle Planning and Zoning Board by giving notice of appeal in writing to the Code Enforcement Officer within 30 days of notification of the order. In the absence of an appeal, the order of the Code Enforcement Officer shall be final. The Planning and Zoning Board shall hear and render a decision in an appeal within a reasonable time. All appeals shall adhere to quasi-judicial procedures and shall consider only the code enforcement officer's interpretation of the City Code related to the order. The Board may affirm, modify and affirm, or revoke the Order.

95.023 BUILDINGS AND PREMISES DAMAGED

(A) Buildings and Premises Damaged. Any building or premises damaged by fire, storm, collapse, or an act of nature must be repaired in a manner that complies in all respects with all codes and ordinances of the City of Albemarle. Prior to repair or renovation the building shall be secured to prevent unauthorized entry.

(B) Order. If, after a notice and hearing under the division, the Code Enforcement Officer determines that the building under consideration has been damaged to the extent of the standards herein set forth, he shall state in writing his findings of facts in support of such determination, stating whether said building has been damaged to the extent set forth in this Article and shall issue and cause to be served upon the owner thereof an Order requiring that:

(1) If the repair, alteration or improvement of said building, bringing it up to the standards described herein, can be made at a cost less than fifty (50) per cent of the present value of the building, the Order shall require the owner, within a specified period of time, to repair, alter or improve such building so as to render it fit for occupancy. Such Order may also direct and require the owner to vacate and close the building until the repairs, alterations and improvements have been made and/or the unsafe and dangerous character of such building has been corrected.

(2) If the repair, alteration or improvement of said building bringing it up to the standards described herein cannot be made at a cost of less than fifty (50) per

cent of the present value of the building, the Order shall require the owner, within a specified period of time, to either repair, alter or improve such building so as to bring it into compliance with the standards described herein, or to demolish and remove such building. Any building or premises damaged by fire, storm, collapse, an act of nature, wear and tear, or natural deterioration to such an extent that it constitutes an imminent or immediate threat to the safety and/or health of its occupants or to the safety of the general citizenry shall be removed immediately. Said finding of imminent or immediate threat shall be by the Fire Marshal or by the Code Enforcement Officer and shall be based on the structural integrity of the building or premises.

(C) Nothing in this section shall be construed to impair or limit in any way the power of the City to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise.

(D) Buildings located within the city designated local historic district shall be considered by the City of Albemarle Historic Resources Commission and may be granted exemption from this section by said Board. Buildings of historical value not located within the local historic district may be considered by the Historic Resources Commission at the request of the owner and may be granted exemption from this section by said Board. In granting an exemption the Board must make a finding that the building is in fact a building of historical value to the City, that all imminent threats to life safety will be addressed expeditiously as deemed acceptable by the Code Enforcement Officer, Fire Marshal and other building officials, that the owner will repair the damage on a timely basis, with commencement not to exceed one (1) year, and that the building will be reconstructed and/or repaired in such a way as to keep the historical character of the building. The Historic Resources Commission may attach any reasonable conditions to the approval. Should the work not be completed as approved the Code Enforcement Officer may seek any and all other remedies as provided in this chapter.

95.024 INSPECTION AND ABATEMENT PROCEDURES

(A) Inspections. All buildings and premises as set forth in this Code are subject to inspections by the Code Enforcement Officer or his designated representatives. Upon presentation of proper identification and credentials to the owner, agent or occupant in charge of the property and/or premises, and securing his oral or written permission, the Code Enforcement Officer and/or his representative may enter and make such inspections as necessary and permitted by law.

If permission for entry for the purpose of inspections is denied, and no emergency exists, the Code Enforcement Officer shall, after presentation of probable cause, procure a Court Order or other writ for entry.

In cases of emergency where immediate and significant hazards are known to exist which may involve potential loss of life or significant property damage, the above

limitations will not apply. The Code Enforcement Officer shall have such powers as may be necessary to carry out and effectuate the purposes and provisions of this Code, including, without limiting the generality of the foregoing, in addition to others herein granted, the following powers:

- (1) Investigations. To investigate building conditions in the City in order to determine which buildings fail to meet the standards set forth herein.
- (2) Oaths, witnesses, evidence. To administer oaths and affirmations and to examine witnesses and receive evidence.
- (3) Right of entry. To enter upon and within buildings and their premises for the purpose of making examinations and investigations; provided, that such entries shall be made in such a manner as not cause significant inconvenience to the persons in possession.
- (4) Delegation of functions. To delegate any of his functions and powers under this Code to such officers and agents as he may designate.

(B) Hearing and Notice of Violation. Whenever it appears to the Code Enforcement Officer that a building is in violation of a provision of this Code, he shall issue and cause to be served on the owner of and parties in interest in such building, including lien holders, if any, as shown by the records of the Register of Deeds of Stanly County, a complaint stating the charges in that respect and containing a Notice that a hearing will be held before the Code Enforcement Officer, or his designated agent, at a place within the City therein fixed not less than ten (10) days or more than thirty (30) days after the serving of such complaint; that the owner and parties in interest shall be given a right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. Following such hearing, the Code Enforcement Officer shall dismiss the complaint; or order compliance setting forth up to a maximum of 180 days within which to correct the violations and containing an outline of remedial action which, if taken, will effect compliance with the provisions of this Code. Extensions of this time requirement may (such is discretionary) be issued by the Code Enforcement Officer with his or her agreement or by the Planning and Zoning Board or Historic Resources Commission, in the case of buildings of historical value, upon application by the property owner.

(C) Content of Notice. Such notice shall be in writing; specify in detail the violation or violations, together with the respective sections of this Code being violated and contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Code.

(D) Service of Notice and Orders. Service of Notice and Orders shall be as follows:

- (1) by delivery personally to one or more of the following: the at least one owner, operator or other party in interest of the property, or the person responsible, or

- (2) by leaving the notice at the usual place of abode or business of the owner, operator, other party in interest or his agent; or
- (3) by depositing the Notice in the United States Post Office addressed to the owner, operator, party in interest or his agent or persons responsible at his last known address (based on the tax listing information as furnished to Stanly County) with postage prepaid thereon, and certified or registered; or
- (4) in the event service of notice cannot be obtained in any of the above methods, by posting and keeping posted for twenty-four (24) hours a copy of the Notice in a conspicuous place on the premises where the violation has occurred and published once a week for three (3) weeks in a newspaper of general circulation in the City such information as is necessary to inform an owner, operator, or other party in interest of the location of the premises and type of offense. No person shall deface or remove such notice without the consent of the Code Enforcement Officer.

(E) Violations and Penalties. Any person, firm, corporation or agent who shall violate the provisions of this Code, or after due notice shall fail to comply with orders issued by the Code Enforcement Officer under the terms and provisions of the Code shall be subject to penalties pursuant to the civil penal provisions and/or criminal penalty provisions of the Code of Ordinances of the City of Albemarle. Such penalties shall continue to accrue until the code enforcement officer has confirmed that all cited violations have been abated. Collection of all monetary penalties may be included in addition to the following remedies outlined below.

(F) Failure to Comply with Orders.

- (1) If the owner or other party in interest fails to comply with an Order to repair the building or structure, the Code Enforcement Officer may:
 - a. Cause such structure to be repaired, and pending such repairs, may order such building vacated and closed.
 - b. Cause to be posted on the main entrance of any structure so closed, a placard entitled "Notice of Condemnation" with the following words: "Notice is hereby given that this building is in an unsafe and dangerous condition; may constitute a fire hazard by reason of structural defects and general state of decay, deterioration and disrepair; may be hazardous or dangerous to children or members of the public generally; or may be dangerously infested with vermin rodents or insects. Said building has been condemned under the building laws of the State of North Carolina and the City of Albemarle."

- (2) If the owner or other party in interest fails to comply with an Order to remove or demolish the building, the Code Enforcement Officer may:
- a. Cause such structure to be remove or demolished.
 - b. Cause to be posted, pending removal or demolition, on the main entrance of any structure a placard entitled "Notice of Condemnation" with the following words: "Notice is hereby given that this building is in an unsafe and hazardous condition; may constitute a fire hazard by reasons of structural defects and general state of decay, deterioration and disrepair; may be hazardous or dangerous to children or members of the public generally; or may be dangerously infested with vermin rodents or insects. Said building has been condemned under the building laws of the State of North Carolina and the City of Albemarle."
- (3) The duties of the Code Enforcement Officer set forth in subsections 1) and 2) shall not be exercised until the City Council, by Ordinance for each violation, shall have ordered the Code Enforcement Officer to proceed to effectuate the purpose of this Article with respect to the particular structure which the officer shall have found to be in violation of this Code. No such Order shall be adopted to require demolition of a structure until the owner or other party in interest has first been given a reasonable opportunity to bring it into conformity with this article. Such Order shall be recorded in the Office of the Register of Deeds where the building is located and shall be indexed in the name of the property owner in the grantor index.
- (4) The amount of the cost of such repairs, alterations or improvements or vacating and closing, or demolition and removal by the Code Enforcement Officer shall be a lien against the real property upon which such cost was incurred; which lien shall be filed, have the same priority and be collected as provided by section 92.011, section 160A-216 et seq., G.S. Chapter 160A. If the structure is demolished and removed by the City, the City of Albemarle may sell the marketable materials of such structure and shall credit the proceeds of such sale against the cost of the demolition and removal and any balance remaining shall be deposited in the Superior Court by the City, and shall be secured in such manner as may be directed by such Court, and shall be disbursed by such Court to the persons found to be entitled thereto by final order or decree of such Court (in a special proceeding brought before the Clerk of Superior Court for said purpose).
- (5) Nothing in this section shall be construed to impair or limit in any way the power of the City to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise, nor shall enforcement of one remedy provided herein prevent the enforcement of the other remedies provided herein.

- (6) Nothing in this section shall be construed to impair or limit in any way the power of the Code Enforcement Officer in the proper enforcement of the duties of his office, as assigned, nor shall the enforcement of one remedy provided herein prevent the enforcement of other remedies provided or cited herein.

- (7) It shall be unlawful for the owner or other party in interest of any structure to fail, neglect or refuse to repair or to vacate and close and demolish and remove the same, upon Order of the Code Enforcement Officer duly made and served as herein provided, within the time specified in such Order.

95.025 APPEALS PROCESS

(A) Establishment of Appeals Process. There is hereby established an “Appeals Process”. All Commercial Maintenance Code Appeals shall be heard by the City of Albemarle Planning and Zoning Board.

(B) Membership. Unless otherwise provided in this Chapter, the Planning and Zoning Board shall be responsible for hearing all appeals to decisions reached by the Code Enforcement Officer concerning the Commercial Maintenance Code of the City of Albemarle.

(C) Procedures. Procedures, rules and processes established by the Planning and Zoning Board shall apply.

(D) Duties. The duties of the Planning and Zoning Board with respect to hearing appeals per this chapter shall be:

- (1) To consider and determine appeals whenever it is claimed that the true intent and meaning of this Code or any of the regulations thereunder have been misconstrued or wrongly interpreted or applied by the Code Enforcement Officer or his representative.

- (2) To consider the granting, in cases where the application of the requirement of this Code in the allowance of the stated time for the performance of any action required hereunder would appear to cause undue hardship on an owner or other party in interest, reasonable variances to the extensions of time not to exceed twelve (12) months from date of such Order. No subsequent appeal shall be considered where an appeal has been previously decided involving the same building or premises and the same citation, unless appellant can demonstrate to the satisfaction of the Planning and Zoning Board change in circumstances sufficient to justify re-opening the appeal.

(E) Decisions. All decisions of the Planning and Zoning Board which vary the

application of any provision of this Code or modified an Order of the Code Enforcement Officer shall specify in the manner in which such variance or modification is to be made, the conditions under which it may be made and the reasons therefor. Every decision shall be in writing and a copy of all decisions shall be promptly filed in the office of the Code Enforcement Officer and it shall be open to public inspection.

95.26 CONSIDERATION OF APPEALS

(A) Appeals. within thirty (30) days following receipt of an Order from the Code Enforcement Officer any person receiving such Order, believing that the literal application of this Code will cause undue hardship or has been misconstrued, wrongly interpreted or applied, may appeal in writing to the City of Albemarle Planning and Zoning Board) for such relief as may be granted, after investigation of the grounds thereof, by way of a reasonable extension of time or a variation from strict compliance with the provisions of this Code. The circumstances justifying such findings related to hardship are:

- (1) Inability to comply within the time period provided in this Code due to clearly documented severe financial distress; or
- (2) The clear and significant non-availability of services or equipment with which to comply, without fault of the applicant; or
- (3) Other extenuating circumstances showing a good faith intention on the part of the applicant or another to comply when able to do so.

(B) Such appeal shall be addressed to the office of the Code Enforcement Officer where proper forms will be prepared and forwarded to the Chairman of the Planning and Zoning Board who will set the date and time of hearing and so notify the applicant. This section shall not be construed to apply to any situation regarded by the enforcement authority as a real and immediate threat to public safety and health. Any person aggrieved by the decision of said Planning and Zoning Board may petition any court of competent jurisdiction. Any such appeal must be filed with said Court within thirty (30) days from the date of the Board's decision or it shall be considered abandoned.

(C) Fee for Appeal. To defray the cost of processing an appeal to the Planning and Zoning Board a fee (as set by the City Council) shall be required. All fees are payable to the City of Albemarle and must be paid prior to processing the appeal.

95.027 AMENDMENTS, MISC.

(A) Amendments. The City and its officials may initiate amendments to this Code. Amendments or changes to this Code must be submitted for review and recommendation to the City of Albemarle Planning Board. The City of Albemarle City

Council must hold a public hearing with a minimum of ten-(10) day notice in the newspaper prior to authorizing any change.

(B) Severability. If any section, subsection, sentence, clause, or phrase of this Code is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Code.

(C) Conflict. In the event of conflict within this Code, or of conflict with other codes of the City of Albemarle, then the more restrictive shall apply. Interpretation hereof shall be the duty of the Code Enforcement Officer.

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall be effective as of the date of final adoption.

This ordinance was introduced and signed by Councilmember _____.

A member of the Council of the City of Albemarle, North Carolina.

Member of Council

At the meeting of the Council held on _____, 2020, this ordinance was introduced, adopted and ordered published as by law provided.

Dated: _____, 2020

Mayor

Attest:

Clerk

Print

Title – Municipal Calendar

Description:

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
<input type="checkbox"/> Municipal_Calendar.pdf	Municipal Calendar

APPROVALS:

Date/Time:	Approval:	Department:	
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CITY OF ALBEMARLE
MUNICIPAL CALENDAR – 2019-2020

January 2020



- 1 City Holiday – New Years Day
- 6 Regular Meeting City Council – 7 PM
- 13 ADDC Board of Directors
- 16 Rock River RPO TAC Meeting – Stanly Commons/Albemarle
- 18 Dr. Martin Luther King, Jr. Breakfast – EE Waddell Community Center
- 20 City Holiday - Dr. Martin Luther King, Jr. Holiday
- 21 Regular Meeting City Council – 7 PM
- 22 Monroe Corporate Center Visit – 12:30 PM
- 28 Stanly County Liaison Group Meeting – New London @ 6:30 PM

February 2020



- 3 Regular Meeting City Council – 7 pm
- 10 ADDC Board of Directors
- 11 City Council Strategic Budget Planning Workshop 4 pm
- 12 CCOG Board of Delegates –
- 17 Regular Meeting City Council – 7 pm
- 18 City Council Strategic Budget Planning Workshop 4 pm
- 25 Stanly County COG Meeting – Stanly County @ 6:30pm
- 29 Winter Wine Festival 12 noon until 5:00 pm

March 2020



- 2 Regular Meeting City Council – 7 pm
- 9 ADDC Board of Directors – 12 Noon
- 16 Regular Meeting City Council – 7 pm
- 19 Rock River RPO TAC Meeting – SPCC Raye Boardroom/Polkton
- 28 Outdoorsman’s Bonanza
- 31 Stanly County Liaison Group Meeting – Norwood @ 6:30pm

April 2020



- 6 Regular Meeting City Council – 7 pm
- 9 ADDC Board of Directors – 12 Noon
- 10 City Holiday – Good Friday
- 15 Planning Board Dinner Meeting – Rosebriar at 6:30 PM
- 19 Rock River RPO TAC Meeting – SPCC Raye Boardroom/Polkton
- 20 Regular Meeting City Council – 7 pm
- 28 Outdoorsman’s Bonanza

Here's How You Can Help:
If you know a parent who needs advice,
tell them to visit Boystown.org/Parenting.

January 2020



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	DECEMBER 2019 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	FEBRUARY S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29	1 CITY HOLIDAY NEW YEAR'S DAY New Year's Day	2	3	4
5	6 REGULAR MEETING CITY COUNCIL 7 PM	7	8	9	10 Full	11
12	13 ADDC BOARD OF DIRECTORS 12 NOON	14	15	16 ROCKY RIVER RPO TAC MEETING STANLY COMMONS	17	18 Dr. MLK, JR BREAKFAST EE MADDELL
19	20 CITY HOLIDAY DR. MLK, JR Martin Luther King, Jr. Day	21 REGULAR MEETING CITY COUNCIL 7 PM	22 MONROE CORPORATE CENTER VISIT 12:30 PM	23	24 New	25
26	27	28 STANLY COUNTY LIAISON GROUP MEETING NEW LONDON 6:30 PM	29	30	31	

Here's How You Can Help:
If you know a parent who needs advice,
tell them to visit Boystown.org/Parenting.

February 2020



Sunday Monday Tuesday Wednesday Thursday Friday Saturday

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday																																																																																				
	JANUARY <table border="1"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td></td><td></td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr> <tr><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td></td></tr> </table>	S	M	T	W	T	F	S		1	2	3	4			5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		MARCH <table border="1"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td></tr> <tr><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td></tr> <tr><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td></tr> <tr><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td></tr> <tr><td>28</td><td>29</td><td>30</td><td>31</td><td></td><td></td><td></td></tr> </table>	S	M	T	W	T	F	S		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31							1
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9 Full	10 ADDC BOARD OF DIRECTORS 12 NOON	11 CITY COUNCIL STRATEGIC PLANNING WORKSHOP 4 PM	12 CCOG BOARD MEETING OF DIRECTORS	13	14	15																																																																																				
16	17 REGULAR MEETING CITY COUNCIL 7 PM Presidents' Day	18 CITY COUNCIL STRATEGIC PLANNING WORKSHOP 4 PM	19	20	21 Valentine's Day	22																																																																																				
23 New	24	25 STANLY COUNTY COG MEETING STANLY COUNTY 7:30 PM	26 Ash Wednesday	27	28	29 WINTER WINE FESTIVAL 10-5 PM																																																																																				

Print

Title – Consider Appointments to City Boards & Commissions

Description:

HISTORIC RESOURCE COMMISSION

- Seat 1 - Christy Stoner, Second Term Expired, 7.1.19 - ineligible for re-appointment, need replacement
- Seat 3 - John Williams, Second Term Expired, 7.1.19 - ineligible for re-appointment, need replacement

PLANNING & ZONING BOARD

- Seat 1 - VACANT, needs to be filled
- Alternate 1 - Michelle Cumming, Partial Term Expired 7.1.19 - eligible and interested in reappointment. Attended 7 of 12 meetings as alternate. Would serve in open seat #1 if Council moved her to that position.
- Alternate 3 - Vacant, needs to be filled

PARKS & REC ADVISORY - attendance records attached.

- Tanner Denton - At Large - No term limits for this board
- Peter Ascitutto - District 4 - No term limits for this board
- Jennifer Winkler - East Albemarle Elementary - No term limits for this board

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

<u>ATTACHMENTS:</u>	
Name:	Description:
<input type="checkbox"/> Parks and Recreation Advisory Board Appointment Roster.pdf	Parks and Recreation Advisory
<input type="checkbox"/> Parks and Rec Attendance.xlsx	Parks and Recreation Attendance
<input type="checkbox"/> Boards Commission - HRC.docx	HRC Roster
<input type="checkbox"/> AHRC Attendance Roll-Call.xlsx	HRC Attendance
<input type="checkbox"/> PZ Appointment Roster.docx	Planning Board Roster
<input type="checkbox"/> Appliation - Keith Wolf.pdf	Wolf Application

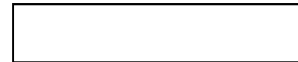
<input type="checkbox"/> Application - Benton Dry.pdf	Dry Application
<input type="checkbox"/> Application - Joey Gathings.pdf	Gathings Application
<input type="checkbox"/> Application - Vicki Coggins.pdf	Coggins Application
<input type="checkbox"/> Anthony Pemell Application.pdf	Anthony Pemell Applicaition

APPROVALS:

Date/Time:	Approval:	Department:	
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ALBEMARLE
NORTH CAROLINA
Water. Air. Land. Opportunity.



City of Albemarle Parks & Recreation Advisory Board Appointment Roster

Length of Term: 3 years

#	Name	Address	Term Expires
1	LAWRENCE DURETT	812 POND STREET ALBEMARLE NC (GWC)	7/1/20
2	JOHN LIPCSAK	1219 Heritage Dr At Large	7/1/20
3	RICK JOHNSON	2234 WOODHURST LN ALBEMARLE NC (PRAB-AT LARGE))	7/1/20
4	Kristine Bryson	433 E. Cannon Av Albemarle, NC East Albemarle School Rep	7/1/21
5	RON LOFLIN	438 N 9 th Street ALBEMARLE NC (GWC)	7/1/21
6	SHAWN BALDWIN	1407 ROSS DRIVE ALBEMARLE NC (PRAB-DISTRICT 1)	7/1/21
7	JERRY BARRIER	223 LUDLOW ST ALBEMARLE NC (PRAB-DISTRICT 3)	7/1/21
*8	Tanner Denton	1408 Old Charlotte Rd. Albemarle, NC At-Large	7/1/19
*9	Peter Ascutto	154 S First Street Albemarle NC 28001 (PRAB-DISTRICT 4)	7/1/19
10	JENNIFER WINKLER	2120 FLEETWOOD DR ALBEMARLE NC (PRAB-EAST ALB ELEM)	7/1/19
11	JULIE S. CURTIS	48581 CLODFELTER RD ALBEMARLE NC (GWC)District 2	7/1/20

Albemarle Parks & Recreation Advisory Board
Meeting Attendance

Board Member	Term Expiration Date	District Represented	7/11/2017 Meeting	10/10/2017 Meeting	Arbor Day	1/9/2018 Meeting
Lawrence Durrett	7/1/2020	Greenway Comm.	Yes	Yes	No	Yes
John Lipcsak	7/1/2020	Unsure	Yes	Yes	No	Yes
Rick Johnson	7/1/2020	At-Large	Yes	Yes	No	Yes
Michelle Osborne	7/1/2018	Central Elem	NO	NO	NO	NO
Ron Loflin	7/1/2018	Greenway Comm.	Yes	Yes	No	Yes
Shawn Baldwin	7/1/2018	District 1	Yes	Yes	No	Yes
Jerry Barrier	7/1/2018	District 3	Yes	No	No	Yes
Tanner Denton	7/1/2020	At-Large	No	Yes	Yes	Yes
Jennifer Winkler	7/1/2019	East Alb. Elem	No	No	No	No
Julie Curtis	7/1/2019	District 2	No	No	No	No

2/13/2108 Meeting	Waddell Gym Ribbon Cutting	4/10/2018 Meeting	Auditorium Ribbon Cutting
Yes	No	NO	No
No	NO	Yes	No
Yes	Yes	Yes	No
NO	NO	NO	NO
Yes	No	No	NO
No	Yes	Yes	No
Yes	Yes	Yes	No
Yes	No	No	No
No	NO	No	No
No	No	Yes	No

Albemarle Parks & Recreation Advisory Board
 Meeting Attendance

Board Member	Term Expiration Date	District Represented	9/23/2018 Meeting	11/13/2018 Meeting
Lawrence Durrett	7/1/2020	Greenway Comm.	Yes	Yes
John Lipcsak	7/1/2020	Unsure	No	No
Rick Johnson	7/1/2020	At-Large	Yes	Yes
Ron Loflin	7/1/2018	Greenway Comm.	Yes	No
Shawn Baldwin	7/1/2018	District 1	Yes	Yes
Jerry Barrier	7/1/2018	District 3	Yes	Yes
Tanner Denton	7/1/2020	At-Large	No	NO
Jennifer Winkler	7/1/2019	East Alb. Elem	No	No
Julie Curtis	7/1/2019	District 2	Yes	No
Kristie Bryson	7/1/2021	Central Elementary	Yes	No
Peter Ascutto	7/1/2021	District 4	Yes	Yes

1/14/2019 Meeting	3/11/2019 Meeting	5/13/2019 Meeting
Yes	No	Yes
No	No	Yes
Yes	Yes	No
Yes	Yes	Yes
No	No	Yes
Yes	Yes	Yes
No	Yes	No
No	No	No
No	Yes	Yes
No	NO	No
Yes	Yes	Yes

Albemarle Parks & Recreation Advisory Board
 Meeting Attendance

Board Member	Term Expiration Date	District Represented	8/12/2019 Meeting	10/14/2019 Meeting
Lawrence Durrett	7/1/2020	Greenway Comm.	No	Yes
John Lipcsak	7/1/2020	Unsure	Yes	No
Rick Johnson	7/1/2020	At-Large	No	No
Ron Loflin	7/1/2018	Greenway Comm.	Yes	Yes
Shawn Baldwin	7/1/2018	District 1	No	Yes
Jerry Barrier	7/1/2018	District 3	Yes	Yes
Tanner Denton	7/1/2020	At-Large	No	NO
Jennifer Winkler	7/1/2019	East Alb. Elem	No	No
Julie Curtis	7/1/2019	District 2	Yes	No
Kristie Bryson	7/1/2021	Central Elementary	No	No
Peter Ascutto	7/1/2021	District 4	Yes	Yes

1/13/2020

Meeting



Updated: 10/16/2019

ALBEMARLE

NORTH CAROLINA
Water. Air. Land. Opportunity.

City of Albemarle Historic Resources Commission Appointment Roster

Length of
years
number of
full terms: 2

Special

* All members
within the City
* "P" indicates
(less than half
another's
for full term

#	Name	Address	Date Appointed	Current Term	Term Expires
1	Christy Stoner	PO Box 1517 Albemarle, NC 28002	6/13/13	2	7/1/19
2	Marvin Smith	622 East Oakwood Ave. Albemarle, NC 28001	2/4/19 (P)	1	7/1/22
3	John Williams	271 N. Third St. Albemarle, NC 28001	7/1/18	2	7/1/19
4	John Crawford	2320 Tanglewood Dr Albemarle, NC 28001	3/4/19	P	7/1/20
5	Sheila R. Simpson	910 Smith Street Albemarle, NC 28001	7/1/17	2	7/1/20
6	Gene Starnes	127 West Main St. Albemarle, NC 28001	7/1/17	2	7/1/20
7	Lynn White	304 Harvard Dr. Albemarle, NC 28001	7/1/18	1	7/1/21
8	Lynn Plummer	760 Pee Dee Ave. Albemarle, NC 28002	7/1/18	1	7/1/21
9	Rob McIntyre	1614 Arbor Way Albemarle, NC 28001	7/1/18	1	7/1/21

Term: 3
Maximum
consecutive

Instructions:

shall reside

partial term
remainder of
term), "1" or "2"

HRC Meeting Date	5/14/2018	11/15/2018	1/14/2019	2/11/2019	5/13/2019	7/15/2019	10/14/2019	11/6/2019	12/9/2019
COMMISSION MEMBER									
Christy Stoner	Present	Present	Present	Present	Present	Present	Present	Present	
Lynn White		Present	Absent	Present	Absent	Present	Absent	Present	
Gene Starnes	Present	Absent	Present	Present	Absent	Present	Present	Present	
John Williams	Absent	Present	Present	Present	Present	Absent	Absent	Absent	
Lynn Plummer	Present	Present	Absent	Present	Absent	Absent	Absent	Absent	
Rob McIntyre	Present	Present	Present	Absent	Present	Present	Present	Absent	
Roger Martin	Present	Present	Absent	Absent	X	X	X	X	X
Sheila E. Simpson	Absent	Present	Present	Present	Present	Present	Present	Present	
Zelma Eudy	Present	Absent	Absent	X	X	X	X	X	X
John Crawford	X	X	X	X	Present	Present	Present	Present	
Marvin Smith	X	X	X	X	Absent	Present	Absent	Absent	

X = no longer served on board

City of Albemarle

Commissioner Sign In

Date:	11/6/2019
Commissioner	Signature
Christy Stoner	
Marvin Smith	
John Williams	
John Crawford	
Sheila R. Simpson	
Gene Starnes	
Lynn White	
Lynn Plummer	
Rob McIntyre	



Updated: 10/16/2019

City of Albemarle Planning and Zoning Board Appointment Roster

Length of Term: 3
 number of
 terms: 2

years Maximum
 consecutive full

#	Name	Address	Current Term	Term Expires
1	VACANT	VACANT	P	7/1/19
2	Rev. Harold McDonald	1220 Pineview St Albemarle, NC	1	7/1/20
3	Dean Speight	2912 Waterford Ln Albemarle, NC	1	7/1/21
4	Randy Shank	1631 Arbor Way Albemarle, NC	1	7/1/22
5	Benny Bowers	817 Sylvania Ave, PO Box 783, Albemarle, NC	1	7/1/20
6	Kent Harkey	224 North 2 nd St. Albemarle, NC	1	7/1/21
7	Tym Scott	2020 Mountain Creek Rd. Albemarle, NC	1	7/1/22
8	Cavin Holbrook	803 Lafayette Dr. PO Box 722 Albemarle, NC	1	7/1/20
9	John Sullivan	1722 Bellamy Cir. Albemarle, NC	1	7/1/21
1st Alt	Michelle Cumming	315 N Fifth Street Albemarle, NC	1	7/1/22
2 nd Alt	Chuck Horne	804 Ruby St Albemarle, NC	1	7/1/20
3 rd Alt	VACANT	VACANT	1	7/1/21

College:	UNC-CH	Chapel Hill NC	Yes		1973	Psychology
Graduate School:	UNCC	Charlotte NC	Yes		1980	Urban Admin

Work Experience

Field of Employment	Planning
Current or Last Employer	City of Albemarle
Job Title	Director of Planning and Community Dev.

Civic Involvement

Please list the names of all civic organizations in which you currently hold membership and your position within the organization.

None currently

Conflict of Interest

Are you aware of any potential conflicts of interest that may arise during your service on this board (i.e., property interest, business interest, etc.)? If so, please explain: No

Potential conflicts of interest do not preclude appointments.

Qualifications

Based on your qualifications and experiences, briefly describe why your service on the board/commission of interest would be beneficial to the City of Albemarle

I am aware of many planning issues and the unique qualities and challenges faced by the citizens of Albemarle and Stanly County.

You may attach a resume to provide additional information

Mail, fax, or email your completed form to:

Attn: Paulette Bowers

Albemarle City Hall

P.O. Box 190

Albemarle, NC 28002

Fax number: (704) 984-9406

volunteerinfo@ci.albemarle.nc.us

City of Albemarle Boards & Commission Volunteer Application

Contact Information

Name	Benton H. Dry II
Street Address	503 Wesley Heights Drive
City ST ZIP Code	Albemarle, N.C. 28001
Home Phone	704-982-8002
Work Phone	704-982-3511
E-Mail Address	benton.dry@dunritecleaners.com

City of Albemarle Volunteer Boards & Commissions (Indicate preferences by number, first choice being "1")

Albemarle Downtown Development Corporation: To aid and promote the redevelopment, improvement, beautification, and revitalization of the downtown area. Holds special events in downtown Albemarle. Members do not have to be a City resident.

Circle your committee of interest: Organization Design Promotion Economic Restructuring

Planning and Zoning Board: Considers all requests to amend the City's Zoning Ordinance and makes recommendations on such matters to the City Council and oversees and advises in the development of long range City plans. Members must be a City resident.

Zoning Board of Adjustment: Members of the Board hear requests to allow variances to the Zoning Ordinance in cases where conditions exist pertaining to a particular piece of property because of its size, shape, or topography that create an undue hardship and do not generally apply to other property in the same district. Members must be a City resident. This Board will also consider appeals of quasi-judicial City rulings and the decisions of the zoning administrator and from individuals who own structures that have been declared unfit for human habitation by the City.

Historic Resources Commission: The Commission is responsible for making recommendations regarding the establishment and boundaries of local historic districts; and for evaluating and approving construction and exterior changes within historic districts. Initiates, promotes, and assists in the implementation of the general beautification of the City. The Commission makes policy recommendations concerning such matters to the City Council. Members must be a City resident.

Albemarle Tree Commission: The Commission is responsible for the preservation, care, planting, and regulation of street trees and other trees in public places within the City. Members must be a City resident.

Albemarle Board of Alcohol Control: The ABC Board is responsible for management of the municipal alcoholic beverage control system in the City of Albemarle.

Parks and Recreation Advisory Board: Provides guidance to the Mayor, City Council, and City Staff in the development of parks and recreation programs, events, activities, and facilities; and provide recommendations to the development of a comprehensive Greenway Master Plan. Members must be a City resident and should demonstrate an interest and involvement in parks programs or facilities.

Educational Background

Highest grade completed: 1 2 3 4 5 6 7 8 9 10 11 12 GED		College: 1 2 3 4		Graduate school 1 2 3 4 5		
	Name of School	City/State	Did you Graduate?	If Yes, Date of Graduation	Degree Received	Major
High School:	Albemarle High School	Albemarle N.C.	Yes	1967	High School Diploma	
GED:						
College:	High Point College	High Point N.C.	Yes	1971	BA	History - Political Science

Graduate School:

Work Experience

Field/s of Employment	Sales - Sales Management - Small business owner
Current or Last Employer	Pan-Rite Cleaners, Inc
Job Title	Co-Owner Vice President
Other relevant experience/interest relevant to requested board/commission:	Member Albemarle City Council 2013-2018

Civic Involvement

Please list the names of all civic organizations in which you currently hold membership and your position within the organization.

None

Conflict of Interest

Are you aware of any potential conflicts of interest that may arise during your service on this board (i.e., property interest, business interest, etc.)? If so, please explain:

No

Potential conflicts of interest do not preclude appointments.

Qualifications

Based on your qualifications and experiences, briefly describe why your service on the board/commission of interest would be beneficial to the City of Albemarle

As a member of the Albemarle City Council, I was exposed to all facets of the Cities Planning Process and Ordinances. As a member of the Planning Board, my experience and knowledge of our processes will prove beneficial to Albemarles continued growth.

You may attach a resume to provide additional information

Mail, fax, or email your completed form to:

Attn: Paulette Bowers
Albemarle City Hall
P.O. Box 190
Albemarle, NC 28002

City of Albemarle Boards & Commission Volunteer Application

Contact Information

Name	Joey Gathings
Street Address	421 2nd Avenue
City ST ZIP Code	Albemarle N C 28001
Home Phone	704 982 5534
Work Phone	
E-Mail Address	joeygathings@gmail.com

City of Albemarle Volunteer Boards & Commissions (indicate preferences by number, first choice being "1")

<p>Albemarle Downtown Development Corporation: To aid and promote the redevelopment, improvement, beautification, and revitalization of the downtown area. Holds special events in downtown Albemarle. Members do not have to be a City resident.</p>
<p>1 Planning and Zoning Board: Considers all requests to amend the City's Zoning Ordinance and makes recommendations on such matters to the City Council. Members must be a City resident.</p>
<p>4 Zoning Board of Adjustment: Members of the Board hear requests to allow variances to the Zoning Ordinance in cases where conditions exist pertaining to a particular piece of property because of its size, shape, or topography that create an undue hardship and do not generally apply to other property in the same district. Members must be a City resident.</p>
<p>Historic Resources Commission: The Commission is responsible for making recommendations regarding the establishment and boundaries of local historic districts; and for evaluating and approving construction and exterior changes within historic districts. Members must be a City resident.</p>
<p>Community Appearance Commission: Initiates, promotes, and assists in the implementation of the general beautification of the City. The Commission makes policy recommendations concerning such matters to the City Council. Members must be a City resident.</p>
<p>Greenway Advisory Commission: Works with the City staff to develop a comprehensive Greenway Master Plan for the City. Members do not have to be a City resident.</p>
<p>Albemarle Tree Commission: The Commission is responsible for the preservation, care, planting, and regulation of street trees and other trees in public places within the City. Members must be a City resident.</p>
<p>2 Housing Board of Appeals: This Board considers appeals from individuals who own structures that have been declared unfit for human habitation by the City.</p>
<p>Albemarle Board of Alcohol Control: The ABC Board is responsible for management of the municipal alcoholic beverage control system in the City of Albemarle.</p>
<p>3 Parks and Recreation Advisory Board: Provides guidance to the Mayor, City Council, and City Staff in the development of parks and recreation programs, events, activities and facilities. Members must be a City resident and should demonstrate an interest and involvement in parks programs or facilities.</p>

Educational Background

Highest grade completed: 1 2 3 4 5 6 7 8 9 10 11 12 GED College: 1 2 3 4 Graduate school 1 2 3 4 5						
	Name of School	City/State	Did you Graduate?	If Yes, Date of Graduation	Degree Received	Major
High School:	Albemarle Senior High	Albemarle, NC	Yes	1971		
GED:						

College:	SCC 2 yr Maintenance Program	Albemarle, NC	Yes		GM, Alcoa Badin Works	
Graduate School:						

Work Experience

Field of Employment	General Mechanic
Current or Last Employer	Alcoa 31 years Retired December 2005
Job Title	GM Maintenance (General Mechanic)

Civic involvement

Please list the names of all civic organizations in which you currently hold membership and your position within the organization.

None

Conflict of Interest

Are you aware of any potential conflicts of interest that may arise during your service on this board (i.e., property interest, business interest, etc.)? If so, please explain:

None

Potential conflicts of interest do not preclude appointments.

Qualifications

Based on your qualifications and experiences, briefly describe why your service on the board/commission of interest would be beneficial to the City of Albemarle

#1 Planning and Zoning Board
 Albemarle has been my home for 66 years. I am interested in helping shape the future of our community and work with a team to provide a fair process to better serve our town.

You may attach a resume to provide additional information

*Mail, fax, or email your completed form to:
 Attn: Paulette Bowers
 Albemarle City Hall
 P.O. Box 190
 Albemarle, NC 28002*

City of Albemarle Boards & Commission Volunteer Application

Contact Information

Name	Vicki Coggins
Street Address	418 Spring St.
City ST ZIP Code	Albemarle, NC 28001
Home Phone	704-983-5784
Work Phone	704-991-1247
E-Mail Address	vickicoggins@windstream.net; vcoggins@uwharrie.com

City of Albemarle Volunteer Boards & Commissions (indicate preferences by number, first choice being "1")

Albemarle Downtown Development Corporation: To aid and promote the redevelopment, improvement, beautification, and revitalization of the downtown area. Holds special events in downtown Albemarle. Members do not have to be a City resident.

Circle your committee of interest: Organization Design Promotion Economic Restructuring

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Educational Background

Highest grade completed: 1 2 3 4 5 6 7 8 9 10 11 12 GED				College: 1 2 3 4		Graduate school 1 2 3 4 5	
	Name of School	City/State	Did you Graduate?	If Yes, Date of Graduation	Degree Received	Major	
High School:	Badin High School	Badin, NC	yes	May 1962	Diploma		
GED:							
College:	UNC-G	Greensboro	yes	May 1964	AA-Bus.adm.	Business	

Graduate School:						
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Work Experience

Field/s of Employment	Historic preservation/economic development/event planning
Current or Last Employer	Current - Uwharrie Investment Advisors
Job Title	Special projects coordinator/PRN
Other relevant experience/interest relevant to requested board/commission:	For some reason, I could not enter any info in the "Civic Involvement" block below; would not allow word entry.

Civic Involvement

Please list the names of all civic organizations in which you currently hold membership and your position within the organization.

Conflict of Interest

Are you aware of any potential conflicts of interest that may arise during your service on this board (i.e., property interest, business interest, etc.)? If so, please explain:

Do not own any property in the downtown but am employed by an organization who owns properties in the downtown.

Potential conflicts of interest do not preclude appointments.

Qualifications

Based on your qualifications and experiences, briefly describe why your service on the board/commission of interest would be beneficial to the City of Albemarle

Served as Exec. Director for ADDC for 20 years; retired June 30, 2010. Have non-profit management experience, understand building code issues, understand historic tax credits, experience working with property owners; grant administration/grant writing.

Am not able to enter any additional info on second page; does not permit access.

You may attach a resume to provide additional information

Mail, fax, or email your completed form to:

Attn: Paulette Bowers

Albemarle City Hall

P.O. Box 190

Albemarle, NC 28002

City of Albemarle Boards & Commission Volunteer Application

Name	ANTHONY PERNELL
Street Address	634 E. CANNON AVE.
City ST ZIP Code	ALBEMARLE, NC 28001
Home Phone	317-213-1669
Work Phone	SAME AS ABOVE
E-Mail Address	Ajpernell@AOL.COM

Albemarle Downtown Development Corporation: To aid and promote the redevelopment, improvement, beautification, and revitalization of the downtown area. Holds special events in downtown Albemarle. Members do not have to be a City resident.

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Albemarle Tree Commission: The Commission is responsible for the preservation, care, planting, and regulation of street trees and other trees in public places within the City. Members must be a City resident.

Housing Board of Appeals: This Board considers appeals from individuals who own structures that have been declared unfit for human habitation by the City.

Albemarle Board of Alcohol Control: The ABC Board is responsible for management of the municipal alcoholic beverage control system in the City of Albemarle.

Parks and Recreation Advisory Board: Provides guidance to the Mayor, City Council, and City Staff in the development of parks and recreation programs, events, activities and facilities. Members must be a City resident and should demonstrate an interest and involvement in parks programs or facilities.

Highest grade completed: 1 2 3 4 5 6 7 8 9 10 11 12 GED		College: 1 2 3 4		Graduate school 1 2 3 4 5		
	Name of School	City/State	Did you Graduate?	If Yes, Date of Graduation	Degree Received	Major
High School:	LAWRENCE CENTRAL	INDIANAPOLIS INDIANA	YES	1977	DIPLOMA	ART
GED:						
College:	UNIVERSITY OF INDPLS.	INDIANAPOLIS INDIANA	YES	SPRING 1981	BACHELOR	ART EDUCATION
	BALL STATE UNIVERSITY	MUNCIE INDIANA	YES	FALL 1983	MASTER	STUDIO ART PAINTING

Graduate School:	BALL STATE UNIVERSITY	MUNCIE INDIANA	YES	1983	MASTER	STUDIO PAINTING & ART EDUCATION
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Field of Employment	MSD PERRY TOWNSHIP
Current or Last Employer	RETIRED
Job Title	ART DEPT. CHAIRMAN / ART SPECIALIST

Please list the names of all civic organizations in which you currently hold membership and your position within the organization.

I RECENTLY BECAME A BOARD MEMBER ON THE STANLEY COUNTY ARTS COUNCIL 2019.

Are you aware of any potential conflicts of interest that may arise during your service on this board (i.e., property interest, business interest, etc.)? If so, please explain:

I AM NOT AWARE OF ANY POTENTIAL CONFLICTS.

Potential conflicts of interest do not preclude appointments.

Based on your qualifications and experiences, briefly describe why your service on the board/commission of interest would be beneficial to the City of Albemarle

I BELIEVE THAT MY 35 YEARS OF EXPERIENCE IN ART EDUCATION, AS WELL AS, MY INTERSHIP AT THE WORLD FAMOUS INDIANA POLIS CHILDREN'S MUSEUM WHERE I RAN THE ENTIRE "OFFICE OF SPECIAL PROGRAMS," WILL ALLOW ME TO CONTRIBUTE IN A POSITIVE WAY TO THE ENHANCEMENT AND OR PRESERVATION OF THE BEAUTIFUL TREASURES OF ALBEMARLE.

You may attach a resume to provide additional information

Mail, fax, or email your completed form to:
 Attn: Paulette Bowers
 Albemarle City Hall
 P.O. Box 190
 Albemarle, NC 28002
 Fax number: (704) 984-9406
volunteerinfo@ci.albemarle.nc.us

Print

Title – Update on Public Housing Door Project

Description:

This item was requested by Council Member Hughes. Council will receive an update on the Public Housing Door Project from Public Housing Maintenance Supervisor, Tony Poplin. Attached is a project update provided to Council via email on December 12, 2019.

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
<input type="checkbox"/> Door_Project_Update_12.12.19.pdf	PH Door Project Update 12.12.19

APPROVALS:

Date/Time:	Approval:	Department:	



Stogner Architecture, PA

ARCHITECTURE - CONSTRUCTION MANAGEMENT - DESIGN BUILD

12-12-2019

Nyki Hardy
Assistant City Manager
City of Albemarle
P.O. Box 190
Albemarle, NC 28002-0190

RE: Replacement Door Project for Department of Housing
Albemarle, NC

Dear Nyki:

Construction Documents are preceding as we discussed with Plans being about 93% complete. The Project Manual which contains the administrative requirements and technical specifications are being pulled together.

After plans reach 98% complete, I plan to make a final walk thru with Tony Poplin.

The intent is to have Bidding Documents available to contractors the first week in January 2020. A Pre-Bid Conference will be held at the Department of Housing to allow the interested contractors an opportunity to see the apartments and to asked questions.

As discussed, we will receive Bids at the Department of Housing's Office on February 6, 2020 and I plan to present the Certified Bid Tabulation to City Council on February 17, 2020.

After Council votes to award a contract, we will assist in preparing construction contracts between the City and the Contractor. While contracts are being signed and bonds and other documents are being received, we will schedule a Pre-Construction Conference with the successful contractor. At this conference we will go over HUD requirements with the contractor and the City typically will have someone go over City Requirements. A Notice to proceed is typically issued at the Pre-Construction Conference which gives the contractor time to submit Shop Drawings and to order materials, a construction start and ending time is also determined in the Notice to Proceed. We are thinking that actual construction would likely start in April but of course that is heavily depended on material delivery schedules.

During the course of preparing the Construction Documents, Benny Putnam and I have met on site with Tony and Cedric multiple times to discuss the best methods to address the work. We have met with an Architectural Sales Consultant to discuss the best entry door system as the Department of Housing is keeping the original aluminum doors that were converted to screen doors, the contractor

615 East Broad Avenue
Rockingham, N.C. 28379
Fax: 910-895-1111
Phone: 910-895-6874
Stognerarchitecture.com



Stogner Architecture, PA

ARCHITECTURE - CONSTRUCTION MANAGEMENT - DESIGN BUILD

will be asked to clean the doors and in some cases may make repairs to damaged panels and/or wire. An Entry Door test unit was sent to confirm that it would fit within the existing opening with a standard size door (as opposed to the non-standard size doors that are currently scheduled to be replaced). During installation of the sample unit the existing door was removed along with the framing and new framing installed and the door installed, everything fit as expected and we confirmed that we could use a more standard size door for the replacements.

The Department of Housing has elected to go with new flush insulated steel entry doors, using a heavier gage than what is presently there. New hardware will be equal to a Schlage B560R IC Deadbolt. Passage sets will get new knobs except we will use lever at the designated accessible apartments and at the elderly site.

At the Elderly Site, existing interior doors are in decent condition and will be sanded and painted, any damaged doors will be replaced on a unit price schedule. At the Family site the original interior bedroom and bathroom doors are being replaced and the later added closet and storage room doors which are mostly in good condition will be sanded and painted.

A. Wayne Stogner, AIA

Print

Title – Discussion of Albemarle Business Center

Description:

Mayor Michael requested this item be placed on the agenda for discussion.

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
No Attachments Available	

APPROVALS:

Date/Time:	Approval:	Department:	
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Print

Title – Ordinance 20-02 - To Name a New City Street as Barney Poplin Drive.

Description:

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
<input type="checkbox"/> 20-02.doc	Ordinance 20-02

APPROVALS:

Date/Time:	Approval:	Department:	
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ORDINANCE 20-02

AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, AMENDING SCHEDULE XIV-A (NAMING STREETS) OF CHAPTER 77 OF ALBEMARLE OF SAID CODE BY ADDING BARNEY POPLIN DRIVE THERETO.

BE IT ORDAINED by the Council of the City of Albemarle, North Carolina, as follows:

SECTION 1. Schedule XIV-A, entitled "Naming of Streets" of Chapter 77 of the Code of Ordinances of the City of Albemarle, North Carolina shall be and the same is hereby amended by inserting in the indicated column the following:

<u>Street Name</u>	<u>Location</u>
BARNEY POPLIN DRIVE	Extending north from the centerline of Hilco Street to the end of City maintenance approximately 563-feet

SECTION 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. This ordinance shall become effective as of the date of final adoption.

This ordinance was introduced and signed by Councilmember _____, a member of the Council of the City of Albemarle, North Carolina.

Member of Council

This ordinance was introduced and passed its first reading at the meeting of the Council held on _____, 2020, and was continued for further hearing on _____, 2020. At the meeting of the Council held on _____, 2020, this ordinance passed its second reading, was adopted, and ordered published as by law provided.

Dated _____, 2020.

Mayor

Attest:

Clerk

Print

Title – Consider Attendance at the Stanly County Chamber of Commerce Annual Meeting

Description:

The meeting will be held at Atrium Health Stanly on Wednesday, February 26 at noon. Tickets are \$30.00 per person and the City will purchase tickets for those who would like to attend.

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
No Attachments Available	

APPROVALS:

Date/Time:	Approval:	Department:	
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Print

Title – Information - Employee Service Day

Description:

On Friday, January 17, 2020 City Employees will have the opportunity to impact our community by providing volunteer service to several community organizations. Employees will be paid for the time they volunteer during the hours of 9:00 am – 1:00 pm.

Employees will need to sign up in advance for the volunteer experience of their choosing. Once the volunteer experience is over, lunch will be served to all employees who volunteer in the community.

The link to sign up for volunteer experiences is: <https://www.signupgenius.com/go/70a0f4faaaa28a1fc1-employee>

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
<input type="checkbox"/> Employee_Service_Day_2020.pdf	Service Day Flyer_2020

APPROVALS:

Date/Time:	Approval:	Department:	
1/2/2020 8:32 AM	Approved	City Clerk	
1/2/2020 8:37 AM	Approved	Administration	



CITY OF ALBEMARLE

EMPLOYEE SERVICE DAY

"Life's most persistent and urgent question is, 'What are you doing for others?'" - Dr. Martin Luther King Jr.

FRIDAY, JANUARY 17, 2020
9:00 AM - 1:00 PM

Signup for your volunteer experience at:
<https://www.signupgenius.com/go/70A0F4FAAAA28A1FC1-employee>

Sign ups will close on Friday, January 10, 2020

Employees will be paid for their volunteer service and will receive lunch after their volunteer experience.

Print

Title – Reminder - Dr. Martin Luther King, Jr. Unity Prayer Breakfast will be Saturday, January 18 at 8:00 a.m. at the EE Waddell Community Center

Description:

A flyer for the event with details is provided. I have registered all on Council who have said they will attend.

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
<input type="checkbox"/> 2020_MLK_Breakfast_Letter_122719.pdf	MLK Flyer

APPROVALS:

Date/Time:	Approval:	Department:	
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19th Annual Rev. Dr. Martin Luther King, Jr. Unity Prayer Breakfast
Sponsor: Stanly County Chapter of NAACP

December 27, 2019

Dear Friend,

The 19th Annual Rev. Dr. Martin Luther King, Jr. Unity Prayer Breakfast will be held Saturday, January 18, 2020, from 8:00am – 10:00am at the E.E. Waddell Community Center located at 621 Wall Street in Albemarle, NC. This event, sponsored by the Stanly County Chapter of NAACP represents a commitment to the legacy of Dr. King and is one of the most well attended cultural diverse events throughout Stanly County of Religious; Political; & Business Leaders.

The Keynote Speaker for this years celebration will be Rev. Darryl W. Medley, Senior Pastor of Spirit & Truth United Church of Worship in Albemarle, NC. Pastor Medley also serve as the Overseer of Vision Hope & Peace United Church of Worship in Lenoir, North Carolina. Pastor Medley have ministered in Kenya, Africa on six different occasions and recently ministered in Israel along with other places throughout the United States. He and his wife, Rhodda for the past 31 years are the proud loving parents of three children and five grandchildren.

Our theme for this year is **“Freedom...Fairness & Equality”**

We ask your help in supporting this outstanding event by doing any, or all, of the following:

- Attend the program and/or consider sponsoring a table . Tickets are \$15.00 per person and \$120.00 for a reserved table of eight (must be paid in advance). Tickets are now available from any member of the local chapter of NAACP or by emailing request to dtownsend1968@gmail.com
- Consider becoming one of our **signature event sponsors (\$100 - up contribution)** commemorating Dr. King’s legacy where all Event Sponsors will have their individual slide projected during the event with the business name and logo (camera ready) or consider becoming an **Event Patron List (\$25)** where your name or business name only will be projected during the event. All camera ready documents of Event Sponsors should be provided no later than January 14th @ 5pm

With your support, we hope to make this event worthy of the great man that it honors. Please feel free to call one of the following if you have any questions or concerns.

Tym Scott (Branch President) 864-640-5246

Dexter Townsend (Event Coordinator) 704-550-7065

Brenda Stanback (Secretary) 704-965-1294

Freida Owens (Treasurer) 704-408-6950

Sincerely,

Dexter G. Townsend

Dexter G. Townsend
Event Chairperson

“The quality, not the longevity, of one’s life is what is important”

19th Annual Celebration

Dr. Martin Luther King, Jr. Unity Prayer Breakfast

Sponsor: Stanly County Chapter of NAACP

2020 MLK BREAKFAST REGISTRATION

Cost of the Breakfast is \$15.00 per person, or \$120 for a table seating eight. Tickets must be purchased in advance for table reservations and advance purchase recommended for individuals due to a limited number of tickets being available at the door. Sell out crowd expected !!!!!

Name _____ COMPANY/ORGANIZATION _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

PHONE _____ E-MAIL _____

Number of Individual (\$15) Breakfast Tickets _____ Number of tables (\$120 per table of 8) _____

Signature Event Sponsor (\$100 – up) : _____ (Name & Logo)

Event Patron List (\$25): _____ (name only)

*** Tickets will be mailed or delivered to contact person listed above prior to event ***

All Ticket/Table Reservations and Signature Event Sponsor/Event Patron List deadlines
are due no later than January 14, 2020

Thank you for your support.

Please make all checks payable to : **Stanly County Chapter of NAACP**

Mail Checks and completed forms to: Post Office Box 556 Albemarle, NC 28001

For questions please call 704-550-7065

dtownsend1968@gmail.com

Print

Title – Reminder - City Offices will be Closed on Monday, January 20 for the Reverend Martin Luther King, Jr. Holiday.

Description:

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:

Name:	Description:
No Attachments Available	

APPROVALS:

Date/Time:	Approval:	Department:	
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Print

Title – Adjourn to Tuesday, January 21 at 7:00 p.m.

Description:

Council rescheduled the second meeting in January to Tuesday the 21st due to the conflict with the Reverend Dr. Martin Luther King, Jr. Holiday.

Is this item budgeted?

Not Applicable

Fiscal Impact:

Management Recommendation:

ATTACHMENTS:	
Name:	Description:
No Attachments Available	

APPROVALS:			
Date/Time:	Approval:	Department:	
