

REGULAR MEETING CITY COUNCIL
October 17, 2001

The City Council of the City of Albemarle met in a regular session on Monday, October 17, 2011, at 7:00 p.m. in the City Hall. Mayor Elbert L. "Whit" Whitley presided, and the following Councilmembers were present to-wit: Troy E. Alexander, Martha Sue Hall, Judy Holcomb, Jeannette Napier, Jack F. Neel, Dexter Townsend, and T. Ed Underwood. Absent, none.

Mayor Pro-Tem Alexander called the meeting to order.

Mayor Pro-Tem Alexander made a special presentation of a certificate of recognition for the City's assistance to the City of Wilson following Hurricane Irene. The certificate was presented to the members of the Public Utilities Department, Electric Division that went to Wilson to provide assistance.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the minutes of the October 3 regular session and October 3 closed session were approved as submitted.

Mr. Durham Lewis, Lewis, Lewis and Lewis, CPAs, presented the Albemarle ABC system audit for fiscal year 2010/2011. He indicated the ABC system's finances were found to be in accordance with Generally Accepted Accounting Principle and he is able to render an unqualified opinion. An unqualified opinion is the highest opinion an audit can provide. Items of significance noted in the presentation were the fulfillment of the mortgage on the store and an increase in working capital. The ABC system was also able to increase its payments to the City and other agencies in the fiscal year audited.

Mr. Tim Lowder, WK Dickson, presented a recommendation for the partial realignment of the Concord, Kannapolis and Albemarle water line. The proposal is being made to help reduce cost. WK Dickson recently became aware

that the City's existing water line on Main Street in Richfield is a 30-inch line and not a 24-inch line as they previously believed. This allows the City to utilize the existing line as part of the CKA water line project. This will result in an estimate \$500,000 savings in materials and labor and there would not be an immediate need to acquire seven easements.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the City Council approved a recommendation for the partial realignment of the Concord, Kannapolis and Albemarle water line.

Mayor Whitley joined the meeting at this time.

Councilmember Hall moved to proceed with the acquisition of the seven right of ways for potential future use. The motion was seconded by Councilmember Townsend. Voting in favor of the motion were Councilmembers Alexander, Hall, Neel, Townsend and Underwood. Voting in opposition were Councilmembers Holcomb and Napier. The motion carried.

Mayor Whitley noted that the Monthly Administrative Reports were in the agenda package.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, the following Proclamation was duly adopted:

<p>City of Albemarle DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION</p>

WHEREAS

The family is the foundation of a safe and healthy community. It is a goal of the Mayor and City Council for our neighborhoods to be safe;

WHEREAS

The problem of domestic violence affects all citizens of North Carolina crossing all racial, social, religious, ethnic, geographic, and economic groups;

WHEREAS

At least 54 people in North Carolina have died so far this year as a result of domestic violence according to the North Carolina Coalition against Domestic Violence;

WHEREAS

Domestic violence is an immense problem in Stanly County, where in 2011, 45 calls for service for domestic violence was answered by the Stanly County 911 Center to date;

WHEREAS

Batterers of women are highly likely to abuse their children: 49% of batterers abuse their children, whereas 7% of non-abusive partners perpetrate violence against their children, according to a national study by Murray Strauss. The batterer’s behavior often undermines the relationship between a mother and her children.

WHEREAS

Esther House has served 30 woman and children who were victims of domestic violence since it opened in July of this year;

WHEREAS

Domestic violence is widespread, including one in three Americans who have witnessed an incident of domestic violence and with an annual cost to U. S. companies of billions of dollars in lost work time, increased health care costs, higher turnover, and lower productivity;

NOW, THEREFORE

In recognition of the impact that domestic violence has on the health and well being of our community, we, the Mayor and City Council of Albemarle, North Carolina, do hereby proclaim October 2011 as Domestic Violence Awareness Month.

Further, We affirm the commitment of the City of Albemarle to reducing violence in our homes, as well as on our streets. We urge all citizens to participate in the activities planned by battered women’s programs and community organizations during this month. Citizens should also take this opportunity to educate themselves about the impact of domestic violence in North Carolina and to become familiar with resources and programs available. This month let us remember the victims of domestic violence, celebrate the survivors, and work together to eliminate violence against women and children from our community.

Elbert L. Whitley, Jr.
Mayor

Troy E. Alexander
Mayor Pro Tem

Martha Sue Hall
Councilmember

Jack F. Neel
Councilmember

Judy U. Holcomb
Councilmember

Jeanette M. Napier
Councilmember

T. Ed Underwood
Councilmember

Dexter Townsend
Councilmember

Director of Planning and Community Development Keith Wolf presented a proposed two lot subdivision off of Old Charlotte Road. He indicated Dean's Ready Mix wants to purchase property they have leased for several years from Norfolk Southern. This would require the subdivision of land. Councilmember Neel asked about the maintenance of Willow Street. The City Manager indicated it is not a City maintained street. Mr. Wolf said this is also noted on the subdivision plat. Councilmember Neel also had a concern that the subdivision of land could possibly void the City's sewer line right of way.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the City Council approved a two lot subdivision for Dean's Ready Mix, subject to the protection of the City's sewer line right of way.

The Mayor and City Council considered an appointment to the Albemarle Community Appearance Commission. Mr. Wayne Palmer has submitted his resignation and a replacement is needed.

It was the consensus of the Mayor and City Council to hold over this matter for further consideration.

Council asked that a proclamation be drafted thanking Mr. Palmer for his service to the Albemarle Community Appearance Commission.

The Mayor and City Council considered a recommendation to release a nuisance lien on property located at 215 Wilson Street. The lien was inadvertently placed on this property and was intended for another property owned by the same person. The property owner at the time of the intended lien has since passed away and the property sold.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the City Council approved the release of a nuisance lien on 215 Wilson Street in the amount of \$65.00 and accumulated interest.

The Mayor and City Council considered a request from Albemarle High School to remove old lights and poles at the YMCA Ash Street Park. The High School would like to use the facility as a backup location for baseball practice. The City's Electric Division estimates the project will take a five person crew approximately one week to remove and dismantle the poles. It is unknown at this time if the transformers contain PCBs. If they do, there will be an additional cost to the City of disposing of this hazardous material.

High School Coach Justin Kimery indicated the removal of the lights will allow the field to be used as an extra practice facility.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Townsend and unanimously carried, the City Council approved the City removing old poles and lights at the YMCA Ash Street Park.

The Mayor and City Council heard a presentation from Assistant City Manager Michael Ferris regarding dilapidated structures on Alfred Street and Colton Street. He indicated the burned Ponds property on Alfred Street will be addressed as part of the Alfred Street project once the bankruptcy issue on the property is completed. The City Attorney is going to be hiring a bankruptcy attorney on the City's behalf to see if the property can be removed from the larger bankruptcy filing of the property owner.

The Colston Street property is a part of the Alfred Street project but there is not sufficient money to address it with project funds. Mr. Ferris suggested that if Council would like the property addressed, to provide staff that authority. The City staff could then begin the process of enforcing code violations. If it

became necessary for the City to condemn and remove the structure, the City would have to wait for available funding. This would most likely be at the end of the current fiscal year or it could be budgeted for in the upcoming fiscal year.

Upon a motion by Councilmember Underwood, seconded by Councilmember Townsend and unanimously carried, the City Council authorized minimum housing code enforcement proceedings on property located at 412 Colston Street.

It was the consensus of the Mayor and City Council to reschedule the January 2 and January 16 City Council meetings to Tuesday, January 3 and Tuesday, January 17 due to conflicts with the New Year's Holiday and the Reverend Martin Luther King, Jr. Holiday.

The Mayor and City Council reviewed a letter from Assistant City Manager Michael Ferris to Mr. Timothy Wilson regarding Council's approval of a request for a 90-day extension by Mr. Wilson to address minimum housing code issues at 401 Lincolnton Street.

Council requested that staff take photos of the structure prior to the expiration of the extension so that they can see the progress made toward compliance.

The Mayor and City Council reviewed information concerning the 2011 General Elections provided by the Stanly County Board of Elections.

The Mayor and City Council were provided with the schedule of upcoming City holidays.

The Mayor and Council were provided information about an upcoming community blood drive.

The Mayor and City Council were provided with an invitation to the ribbon cutting of Mims Shops located at 120 North Second Street.

Councilmember Holcomb said she enjoyed participating in the Public Utilities Department Day of Caring recently.

Councilmember Townsend said he would like to see data added to the Police Department's monthly report to include the number of complaints received and the number of dispositions.

Councilmember Hall said she also enjoyed the Day of Caring activities.

Councilmember Hall said there are two houses on Corbin Street in bad shape and asked that the Planning and Community Development Department investigate and provide a report.

Councilmember Neel said Waste Management trucks have trash blowing out of the truck onto the roadside.

Councilmember Neel asked that the Mayor and City Council be provided with a copy of the current contract with Waste Management for their review prior to discussion about the expiration of the current contract.

Councilmember Underwood said he has heard the new solid waste contractor in Concord is doing a good job.

Information Systems Director Owen Squires made a presentation to the Mayor and City Council regarding laptop replacements for Police vehicles. He said the Police Department had originally budgeted an amount to replace a portion of the laptops this year with additional replacements planned for future years. This could lead to multiple brands of laptops for the officers to use and IS Department to manage and maintain. He indicated they are proposing to finance the complete acquisition of all laptops over a five year period. The funds in the current budget will cover the first installment and payments will need to be budgeted over the life of the loan. He noted the Finance Department is soliciting bids for financing and will have this information at a future meeting.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the approved the lease purchase of laptop computers for the Police vehicles.

Councilmember Alexander indicated that his laptop battery will not hold a charge. Information Systems Director Owen Squires indicated he will be performing upgrades to all Council laptops shortly and will also be replacing batteries on those that require replacement.

Mr. Douglas Waddell indicated he recently moved backed to Albemarle and was pleased to see the City had paved Spaulding Street. He thanked Council and requested that the road be constructed all the way over to Wall Street as originally platted.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the Mayor and City Council adjourned to a closed session pursuant to NCGS 143-318.11(a)6 to discuss personnel matters.

Upon a motion by Councilmember Alexander, seconded by Councilmember Napier and unanimously carried, the Mayor and City Council

reconvened to open session. Mayor Whitley announced that a closed session was held to discuss personnel matters and there was nothing to report at this time.

Upon a motion by Councilmember Neel, seconded by Councilmember Hall and unanimously carried, the City Council adjourned to Wednesday, October 19 at 6:30 pm at the Rosebriar Restaurant for a meeting with the members of the Planning and Zoning Board and the Zoning Board of Adjustment.