

REGULAR MEETING CITY COUNCIL
December 19, 2011

The City Council of the City of Albemarle met in a regular session on Monday, December 19, 2011, at 7:00 p.m. in the City Hall. Mayor Elbert L. "Whit" Whitley presided, and the following Councilmembers were present to-wit: Troy E. Alexander, Martha Sue Hall, Judy Holcomb, Ronnie Michael, Jack F. Neel, Dexter Townsend, and T. Ed Underwood. Absent, none.

Mayor Whitley called the meeting to order.

The Mayor presented the NC League of Municipalities Memorial and Retirement Resolutions. The City Manager noted that the League adopted these resolutions at the City's request at its annual meeting, and recipients of these resolutions have been invited to the City Council meeting for presentation. Employees Kenneth Shepherd, Bob Sasser, and Martha Pruitt were presented with retirement resolutions and the family of deceased former employee Louise Ritchie and the family of deceased former employee Jonathan Monk were presented with memorial resolutions.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the minutes of the December 5 regular session approved as corrected and December 7 adjourned session minutes were approved as submitted.

Mr. Phil Burr, Burr Bail Bonds came before City Council as an announced delegation to discuss parking concerns on South Third Street. The City Manager noted that City Council had reviewed this request several weeks ago and had requested that Mr. Burr and Sheriff Burris be contacted and ask them to attend a Council meeting regarding this. The City Manager was contacted by Mr. Burr who has requested to appear before City Council on December 19.

Mr. Burr came before Council and stated that with employees of the jail parking on the streets that have 12 hour shifts, it limits parking spaces for his customers. He needs 2 or 3 parking spaces near his office for his customers. Mayor Whitley asked if 2 spaces would be sufficient and Mr. Burr affirmed this.

It was determined that from his driveway at the north side of the building to dedicate 2 parking spaces with a 2 hour parking limit going south in front of his office. Mr. Burr answered any questions that Council had.

Councilmember Holcomb asked if Council could designate 2 parking spaces to Mr. Burr's business. The City Manager stated that with this being a public street, you could not designate this public space for any business.

Stanly County Sheriff Burris came before Council and stated that he objects to restricted or limited parking. Mr. Burr's business customers come from our jail and employees should not carry any burden due to restricted parking in this parking area. Mr. Burr's business is located there so as to be close to the jail and employees should not be affected. Sheriff Burris answered any questions that Council had.

City Council continued to discuss this matter among themselves.

Councilmember Underwood moved that City Council authorize the City Attorney to draft an Ordinance to designate 2 parking spaces with a 2 hour parking limit going South in front of this business. Councilmember Holcomb seconded the motion. Voting for the motion were Councilmembers Alexander, Holcomb, Neel, and Underwood. Voting against the motion were Councilmembers Hall, Michael, and Townsend. The motion carried.

Mayor Whitley noted that the monthly administrative reports were in the agenda package.

Councilmember Neel stated that the Finance Department report states November is the 4th month of the fiscal year when it is in fact the 5th month.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the following ordinance passed second reading and was duly adopted:

(Ordinance 11-35. To establish rules and regulations concerning donation drop boxes.)

Planning and Community Development Director Keith Wolf and City Manager Raymond Allen answered any questions that City Council had.

The Mayor and City Council discussed the City's solid waste collection contract. The City Manager noted that the City's current contract expires July 1, 2012 and the City Council will need to make a decision very soon as to whether to renegotiate with Waste Management or have staff send out RFPs for this service. This decision will need to be made soon, since if council decides to issue RFPs and a different service provider is awarded the contract, we will need to make sure there is adequate time for a smooth transition.

The City Manager stated that this item has been on our agenda for discussion the last 2 or 3 meetings. Upon City Council's request we have provided some preliminary staff suggestions as to changes in the contract whether it is renegotiated or issued as a RFP. These are just preliminary and Council can still authorize renegotiation or the issuance of RFPs and these matters can be finalized as we move forward. If Council decides to issue RFPs, this will need to be decided quickly. Based on research, last time Council decided by January to go out for bids. Council will need to determine by the January 3, 2012 meeting.

Councilmember Hall stated that she would like to take this suggestion and digest whether to either negotiate with Waste Management or go out for bids and we need to decide at our next meeting on January 3, 2012.

Councilmember Neel stated that on the handout that Council received, the second item states to have the contractor bill for small business roll-out cart. City Manager Raymond Allen stated that presently customers are billed by the City and then Waste Management bills us for the service. It is a suggestion that we consider a change to where our solid waste contractor will bill the customer directly for this service.

Councilmember Townsend asked that prior to January 3 if Council has any questions or suggestions, to relay this to the City Manager.

Councilmember Hall moved that this item be tabled until the January 3, 2012 Council meeting. Councilmember Underwood seconded the motion.

Voting for the motion were Councilmembers Alexander, Hall, Holcomb, Michael, Townsend, and Underwood. Voting against the motion was Councilmember Neel. The motion carried.

The Mayor and City Council considered a resolution honoring Jeanette M. Napier. Upon City Council's request, the City Manager drafted a resolution honoring former Councilmember Jeanette Napier. If this is approved and signed by City Council, Mrs. Napier will be asked to come to a future Council meeting for presentation.

Upon a motion by Councilmember Townsend, seconded by Councilmember Underwood and unanimously carried, the following Resolution was duly adopted:

(Resolution 11-32 – To honor the service off Jeanette M. Napier)

The Mayor and City Council considered a resolution to authorize the Chief of Police to comment on ABC Permit Applications. The City Manager noted that the proposed resolution would update this situation and state the Chief of Police for the City of Albemarle can perform these checks. Since this resolution is not name specific, and instead is tied to the position, this resolution can remain in effect even after a change in personnel.

Chief Halliburton answered any questions that Council had.

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

(Resolution 11-33 - To authorize the Chief of Police to comment on State ABC Permit Applications.)

Chief of Police Halliburton was asked to speak about the grant to initiate a community project to address criminal and gang activity. Upon

questioning, Councilmember Townsend stated that he will be supporting a letter from the South Albemarle Community.

Chief Halliburton stated that he is requesting letters of support for this grant initiative to address criminal and gang activity. This grant will allow a community resource coordinator dedicated in the community to aid these individuals. This program is known as the "High Point Project" and a similar program was implemented in Statesville several years ago and has shown great changes in crime and youth and gang activity there.

We are hoping in Albemarle and Stanly County to make this initiative successful. It took eight months to accomplish this task in Statesville and we have only two months. The letters of support have starting coming in and the deadline for the grant is January 30, 2012.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, the City Council approved a letter of support for this grant initiative to Chief Halliburton drafted by City Manager Raymond Allen.

The Mayor and City Council discussed arrangements to take group a photograph of City Council. The City Manager noted that we usually have a photographer take a group photo of the City Council after any change in the Council membership. This photo is posted on the City's website, and is occasionally used for other purposes like publications, etc. This photo is typically taken prior to a Council meeting since everyone is present and dressed in business wear. Council needs to decide who they wish to take the photos.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Townsend and unanimously carried, the City Council taking group photo before the January 3 Council meeting at 6:30 pm and using Janie Mann as the photographer.

The Mayor and City Council considered attendance at the Dr. Martin Luther King, Jr. Unity Breakfast. This will be held at the EE Waddell Community Center on Saturday, January 14 at 8:00 a.m. Council reviewed information

provided by Councilmember Townsend on this annual event. Tickets can be ordered for those board members who plan to attend.

Councilmembers Alexander, Holcomb, Neel, Townsend, Underwood, and Hall, and Mayor Whitley confirmed their attendance.

The Mayor and City Council reviewed information regarding Stanly County Economic Development Corporation. Councilmember Hall asked that staff research when an official with the City last served on the EDC board. The City Manager noted that we could not find any information in our records, since this was not an official appointment of the City. However, Paulette Bowers contacted the EDC and they were able to research this information and advised that former Mayor Roger Snyder resigned from the EDC on January 25, 1999.

The City Manager also noted that he had attached information regarding the current membership of the EDC, as well as a copy of Senate Bill 411, adopted this year by the General Assembly and will affect the requirements for future appointments to this board.

Councilmember Holcomb stated that she had mentioned to County Commissioner Chairman Lindsey Dunevant at a meeting on December 7 that Council would like representation on the Economic Development Commission board. Ms. Holcomb named the existing members of the EDC Board as Tony Dennis, Nancy Lipe, Dr. Surendrapal Mac, Walter Davis Jr., Grover Stewart, Charles Brown, Bill Lawhon Jr., Larry Baucom, Ed Shimpock, Paul Childress, Gerald Poplin, Joe Klutz, Jr., Cindy Beane, and Jann Lowder as alternate delegate.

Councilmember Townsend stated that a Councilmember or the Mayor should represent the City on the EDC Board.

Mayor Whitley asked the City Manager to draft a letter to the EDC Board asking Chairman Lindsey Dunevant if the Mayor can be appointed to the EDC Board and asked this draft letter be brought back before Council at its next meeting on January 3, 2012.

Councilmember Neel stated that either the Mayor or a designee for the Mayor should represent the City of Albemarle on the EDC Board.

The Mayor and City Council reviewed information of the Albemarle Downtown Development Corporation FY 2010-2011 Audit. The City Manager noted that this is an unqualified opinion with no audit findings. This was presented to the ADDC Board of Directors last week.

The City Manager also stated that Mayor Whitley and Councilmember Alexander are ex-officio members of this board and have reviewed this audit.

The Mayor and City Council were reminded of the holiday closings. City offices will be closed on Friday, December 23 and Monday, December 26 for the Christmas Holidays and Monday, January 2 for the New Year's Day Holiday.

Councilmember Michael asked the City Manager if Waste Management is almost a week behind on leaf pick-up. The City Manager stated that they are around 5 days behind. The City Manager stated that a Waste Management representative is in the audience and should be able to inform us. The representative stated that they should finish Zone 12 on Tuesday (next day) and move on to Zone 1.

Councilmember Michael stated he took exception with the comment that was made at the last council meeting by a gentleman that appeared before Council and talked about the difficulty he had in complying with requirements to remodel a building for different uses. He said his issues were with requirements of state law not what the City was requiring. Also, he stated that most of the issues are fire or building code issues and how City staff was meeting monthly at a Develop Team meeting to speed up the process for any developer and that a handout was available from Community Development to assist the developer.

Councilmember Michael asked if Council wants to contend with a possibility of having a number of conditional use permits on the same property. Do we want to look at City policy and consider placing a cap on the number of conditional use permits per property to prevent situations such as Chuck Nance's property with Beach Bingo, an outdoor flea market, etc.

Councilmember Hall stated that she would like for Council to look at this as well.

Councilmember Townsend wished everyone Merry Christmas.

Councilmember Hall stated that the open house event sponsored by ADDC on December 11 was well attended. ADDC Director told Ms. Hall that there were a little more than 300 tickets sold.

Councilmember Hall mentioned the she and Mayor Whitley attended the Nationwide Remembrance Ceremony involving the wreath dedication to veterans on December 10.

Councilmember Hall stated that a lady tonight asked her about a specific trailer parked on McCurdy and 2nd Street and has been there for a good period of time.

Councilmember Hall wished everyone a Merry Christmas.

Mayor Whitley stated on behalf of the City Council and staff we wish everyone a Merry Christmas and we will be back for our first meeting of the year on January 3, 2012.

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) 5 to discuss real estate matters.

Upon a motion by Councilmember Alexander, seconded by Councilmember Neel and unanimously carried, the Mayor and City Council reconvened to open session. Mayor Whitley announced that a closed session was held was held pursuant to NCGS 143-318.11 (a) 5 to discuss real estate matters and there was nothing to report at this time.

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