

REGULAR MEETING CITY COUNCIL
May 3, 2010

The City Council of the City of Albemarle met in a regular session on Monday, May 3, at 7:00 p.m. in the City Hall. Mayor Elbert L. "Whit" Whitley, Jr. presided, and the following Councilmembers were present, to-wit: Troy E. Alexander, Martha Sue Hall, Judy Holcomb, Jeanette M. Napier, Jack F. Neel, Dexter Townsend and T. Ed Underwood. Absent, none.

The Mayor delivered the invocation.

Mr. Gene Starnes, Starnes Jewelers and Dr. Chris Bramlett came before City Council to present a gift of a clock from Starnes Jewelers for the Council Chambers. This will be placed on the rear wall of the City Council Chambers.

Mayor Whitley asked the City Manager to send a letter of appreciation to Mr. Starnes and Dr. Bramlett.

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

Councilmember Hall stated that with her not being present at the last Council meeting, she needed clarification on the non-partisan issue and the motions made on that issue.

It was explained by several Councilmembers that at the Council meeting on April 19, Councilmember Underwood moved that discussion of non partisan municipal elections be postponed until all 7 Councilmembers are present. Mayor Whitley broke the tie by voting against the motion and the motion was denied.

Also Councilmember Holcomb, seconded by Councilmember Townsend and unanimously carried, the Council approved considering a request to go ahead and study conversion to non partisan municipal elections tonight and not postpone.

Then Councilmember Townsend moved to deny the request to study the conversion to non partisan municipal elections. The motion was seconded by Councilmember Holcomb. Voting for the motion were Councilmembers Holcomb, Neel, and Townsend. Voting against the motion were Councilmembers Alexander, Napier, and Underwood. Mayor Whitley broke the tie by voting in favor of the motion and the motion to deny the request to study conversion to non partisan municipal elections carried.

A public hearing was held to consider a conditional use permit for Christ Episcopal Church.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the public hearing was closed.

The City Council considered the following findings of fact as read by Mayor Whitley:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the City Council approved finding of fact #1.

2. The use meets all required conditions and specifications.

Upon a motion by Councilmember Hall, seconded by Councilmember Napier and unanimously carried, the City Council approved finding of fact #2.

3. The use will not substantially injure the value of the adjoining or abutting property, or that the use is a public necessity.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the City Council approved finding of fact #3.

4. The location and character of the use, if developed according to the plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City of Albemarle and its environs.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the City Council approved finding of fact #4.

Councilmember Neel asked about the locations of the other aluminum can recycling trailers that Christ Episcopal Church has in the City. A representative of Christ Episcopal Church stated that this one on the lot across the street from the Breakfast Nook will be the 4th location along with one located at Delco Plaza, Walmart, and the Senior Center.

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

(Resolution 10-11. To approve a conditional use permit for Christ Episcopal Church.)

A public hearing was held to consider a proposal to rezone 1.3 acres at 2816 US Hwy. 52 N from R10 to GHBD. No one from the public spoke for or against the proposal.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the public hearing was closed.

Councilmember Neel asked if this is the only lot that is zoned residential in this area. Planning and Community Development Director Bob Sasser stated that is correct. Upon questioning by Councilmember Neel, Mr. Sasser stated that the lot directly to the south is GHBD and the lot directly to the north is LID.

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

(Resolution 10-13. To rezone 1.3 acres at 2816 US Hwy. 52 N from R10 to GHBD.)

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall, and unanimously carried, an Ordinance entitled (Ordinance 10-15) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA TO AMEND THE ZONING ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA." passed first reading.

A public hearing was held to consider a proposed Electronic Gaming Ordinance. No one from the public spoke for or against the proposal.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the public hearing was closed.

Chief of Police Ronnie Michael stated that the Planning Board discussed at length the open hours on these types of businesses and decided on a 2:00 am closing time. Councilmember Hall asked Chief Michael what closing time did most of the board members prefer. Chief Michael stated that it ranged from 10 pm to 12 pm and some preferred 2 am because of the ABC regulations.

Councilmember Holcomb asked about the age limit decided on. Chief Michael stated that no one under age 18 would be allowed in an electronic gaming establishment or to supervise the operation of machines.

Councilmember Hall stated that it would probably be harder to police with longer open hours. Chief Michael stated that the police do not visit these businesses after 12 am unless there is a complaint.

Councilmember Townsend asked about the fee of \$2,000 for the first two gaming machines and the fee of \$3,000 for additional machines beyond the first two. Mr. Townsend asked what charges the Planning Board members discussed. Chief Michael stated that it varies, but all members agreed with what was stated in the ordinance.

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

(Resolution 10-12. To adopt a proposed electronic gaming ordinance.)

Councilmember Alexander asked Chief Michael about how the operations will be policed. Chief Michael stated that currently the City Finance office handles the licenses fees and the police department helps identify where the machines are located.

Councilmember Holcomb stated that the Fire Department while doing regular inspections can check on these machines of the electronic gaming businesses as she had stated at the April 5 Council meeting.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall, and unanimously carried, an Ordinance entitled (Ordinance 10-14) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA TO

AMENDING THE CODE OF ORDINANCES OF THE CITY OF ALBEMARLE
REGULATING ELECTRONIC GAMING OPERATIONS IN THE CITY OF
ALBEMARLE, NORTH CAROLINA” passed first reading.

Councilmember Neel stated that the City cannot say that a business cannot have these gaming machines. The City has to allow this type of operation and establish rules, regulations and fees for each one.

Councilmember Townsend stated that the City can and has established which districts these types of operations can exist.

Councilmember Hall asked the Mayor if City Council could discuss moving the Monday, June 7 meeting to another day due to a conflict between item 14 and 15 on the agenda, before discussing any new business items.

Mr. Victor Thomas Curry came before City Council to request a City of Albemarle peddler license. The Mayor and City Council received a copy of Mr. Curry's application and background check.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the City Council approved a peddler license to Mr. Victor Thomas Curry for a snack cart.

Mr. Gary Poplin, 324 Belmont Circle was scheduled to appear before City Council but was not present. He was to appeal Council's previous denial of his request that the City assume minimum maintenance for an alley parallel to Belmont Circle.

The City Manager noted that the City Council directed staff to send a letter to Mr. Poplin requesting the dedication of additional right of way so that the alley could be eligible for Powell Bill funding. Mr. Poplin contacted the City Manager and advised that he did not think the additional right of way could be obtained. He requested to be placed on the agenda to make this request in person.

Councilmember Neel stated that there is a problem with the City working on private property. We need proper right of way in order to assume maintenance for the alley parallel to Belmont Circle.

Mayor Whitley stated that it is in order for Council to deny this request.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council denied a request that the City assume minimum maintenance for alley parallel to Belmont Circle.

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

Councilmember Neel stated that the ElectriCites meeting August 12-14 is not on the calendar and needs to be added. He stated that the reservations need to be made quickly for those planning to attend.

City Manager Raymond Allen stated that he had requested there be no out of state travel unless absolutely necessary. An example would be the Police CALEA meeting which is required for law enforcement accreditation.

Mayor Whitley stated that the budget work sessions are scheduled for Tuesday and Thursday of this week and this can be discussed at that time.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the following Ordinances passed second reading and were duly adopted:

(Ordinance 10-12. A budget amendment to appropriate Fund Balance reserved for CDBG for contracting with engineering firm to do water quality permitting and surveying for the Morrow Chase Project.)

(Ordinance 10-13. A budget amendment to appropriate unbudgeted revenue for Police Department.)

The Mayor and City Council received an update on a request of Mr. Jennings Kennedy for special utility billing adjustment. City Council had requested that Mr. Helderman engage a licensed plumber to investigate the possibility of any lines going from this house to the adjacent Service Distributing property.

Mayor Whitley explained that Mr. Kennedy appeared before Council several weeks ago requesting a special utility billing adjustment. Based on a request of Council, on April 21 a crew from Water Sewer Systems Division investigated this complaint. They found one line that went from the house towards a storage building on the property, stopping about 10 feet short of the building. They could find no evidence there had been a leak from this line. They did not discover any lines from this property going to the adjacent Service Distributing property.

Councilmember Hall stated that she was interested in seeing Mr. Kennedy's April statement which will be due on May 4. She stated that April should be less than ½ the amount used in March.

Councilmember Alexander asked why the Kennedy's meter was replaced. City Manager Raymond Allen stated that it was replaced because it was slow.

Councilmember Hall stated that something should be done about this. Mr. Kennedy has already paid the extremely amount for the March billing and Council should just decide how much adjustment should be made.

Councilmember Holcomb asked the City Manager what we normally do in this type of situation. The City Manager stated that it depends on the particular circumstance.

Councilmember Holcomb moved that a special utility billing adjustment of 50% of the total bill for the March water and sewer services for Mr. Jennings Kennedy be approved. Councilmember Underwood seconded the motion. Councilmember Holcomb amended the motion that a special utility billing adjustment of 75% of the total bill of March for water and sewer services be approved. Councilmember Underwood seconded the motion, and upon a unanimous vote, the utility adjustment was approved.

The Mayor and City Council considered a recommendation of Albemarle Community Appearance Commission to replace inactive members. This item was laid over from the April 19 meeting of City Council for further discussion. Some of these terms expire in July 2010 and some July 2011. The City Council will be considering appointments to all of its boards and commissions with July term expiration dates in June.

Councilmember Hall stated that Council could look over the candidates and wait until they have been asked if they would like to serve.

Councilmember Neel stated that Council can have management to check and see if these people are willing to serve. Councilmember Townsend stated that he will check with Ms. Blanding to see if she wants to continue on the board and get back with Council.

City Manager Raymond Allen stated that he needs instruction from Council what they want staff to do. Councilmember Neel stated that Council can choose 5 or 6 candidates from the list and staff can call to see if they would be willing to serve.

Councilmember Hall chose Kate Gibson and Wayne Palmer from the candidate list. Councilmember Neel chose Pam Holbrook, Lydia Morgan, Wayne Palmer, Eddie McDaniel, Larry McGuire, Donna Gaither, and Susan Garrison. Councilmember Holcomb chose Jane Snyder, Terrie Griffin, Wayner Palmer and Donna Gaither.

The Mayor stated that Council needs to chose 5 candidates and Councilmember Townsend will talk with Ms. Blanding to see if she wants to continue serving on the board.

It was decided by Council to choose Lydia Morgan, Wayne Palmer, Eddie McDaniel, Larry McGuire and Donna Gaither. The Mayor asked the City Manager to pass this information to the Planning and Community Director Bob Sasser.

The Mayor and City Council discussed ideas for the recognition of the 100th Anniversary of City of Albemarle's Electric System. This issue was laid over from the April 19 meeting. Public Utilities Director Ernie Borders has had discussions with staff at ElectriCities and below are some of the ideas that other communities have used. ElectriCities will provide \$2,000 in funding to help with the celebration to include promotion of Public Power.

- Set up a booth or kiosk at fairs, festivals, and other events
- Have a luncheon with Electric System employees and elected officials to celebrate anniversary
- Have an industrial customer event such as a luncheon to celebrate anniversary
- Banners
- Event for school children with displays of electrical equipment with picnic type meal served
- Design 100th Anniversary logo to use at events and on displays (ElectriCities will design logo)

The Mayor stated that he would like to have the history of the Albemarle Electric System printed in the Stanly News and Press for the general public to see.

Councilmember Hall stated that item 4, the event for school children within the City using a theme with an art contest about the electric system with a drawing and prize to a student would be one of her choices. The art could be displayed at the City Hall for the public to see and vote on the displays from the school kids.

Councilmember Holcomb stated that maybe the ADDC could have downtown businesses place the art in their stores for the public to see. The City could ask if the Albemarle Downtown Business Association would like to chair this project.

Councilmember Townsend mentioned an idea of getting the Stanly County Arts Council to implement the art contest in the school system.

Councilmember Hall stated she would contact ElectriCities and get a blueprint for this type of event and bring the information back to City Council.

City Manager Raymond Allen asked Council which ideas Council would like staff to proceed with. It was determined that 1) creating a history of Albemarle's Electrical System and placing in the Stanly News and Press, 2) an event with Albemarle students creating artwork for the 100th Anniversary and 3) design 100th Anniversary logo to use at the events and on displays (ElectriCities will design logo)

Councilmember Hall asked what timeframe in 2010 are we looking at doing this project for the 100th anniversary. Councilmember Neel stated this should be done sometime in the fall.

City Manager Raymond Allen stated that Public Power Week will be the 1st week of October and this would be a good time to have this event. Councilmember Hall stated that it would be great if the City could get the electric car to display during the art contest for the students. She stated that we should do this event based on the day(s) we can use the hybrid car, and requested that City staff contact ElectriCities to reserve the car.

Mr. Jeff Hamilton came before City Council as an unannounced delegation. He stated that he now owns the home of his deceased mother at 1406 Pennington Road which he has invested in. There is an old unoccupied home at 1404 next door to his property that is in a state of disrepair. The grass has not been cut for one year and this is hurting the surrounding property values. He asked Council to please have someone take a

look at this property and see if this property can be repaired or if it needs to be condemned.

Councilmember Hall stated that 1404 Pennington Road is owned by Sonny Hinson. Mayor Whitley stated that the City will have Planning and Community Director Bob Sasser look at this property. If the City would choose to condemn the property, it could become very costly to the City.

The Mayor and City Council considered the approval of the Anderson Ridge Phase 2b Final Plat requested by Mr. Matthew J. Stikeleather.

Engineering Services Director Jon Mendenhall stated that the improvements to Anderson Ridge Phase 2 are complete. The existing bond is sufficient to meet the construction costs of the sidewalks in Phase 2B, with an excess amount of \$9,433.90 left over of the existing bond. No new bonds are needed for the recording of the Phase 2B plat. Mr. Mendenhall introduced Mr. Matthew Stikeleather, owner of Southern Harvest Land Corporation to Council.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall and unanimously carried, the City Council approved the Anderson Ridge Phase 2b final plat.

The Mayor and City Council considered an agreement with Wynnefield Properties for the City of Albemarle Department of Public Housing to list Ardsley Commons in Locust as a Section 8 Participating Property and to Provide Voucher Holder Referrals to this Property. They are proposing to develop low income housing in the Locust Town Center, and are requesting this agreement that would list this location for Section 8 housing clients. Wynnefield was the developer of Henson Place Apartments on Henson Street, and some of the apartments are leased to Section 8 voucher participants. The City Department of Public Housing operates the Section 8 program for all of Stanly County.

Upon questioning by Councilmember Alexander, the City Manager stated that the City of Albemarle Public Housing is the only agency in this County and is required to offer low income housing anywhere within the County.

Upon a motion by Councilmember Neel, seconded by Councilmember Underwood and unanimously carried, the City Council approved an agreement with

Wynnefield Properties for the City of Albemarle Department of Public Housing to list Ardsley Commons in Locust as a Section 8 participating property and to provide voucher holder referrals to this property.

The Mayor and City Council considered rescheduling the City Council meeting of Monday, June 7, 2010 due to a conflict.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the City Council rescheduled the Monday, June 7, 2010 City Council meeting to Tuesday, June 8, 2010 at 7 pm due to a conflict.

The Mayor and City Council considered a recommendation of the Planning and Zoning Board to approve a request of Robert Garmon to rezone 3.25 acres from CBD Central Business District to LID Light Industrial District.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, the City Council approved setting public hearing for Tuesday, June 8 to consider a request of Robert Garmon to rezone 3.25 acres from CBD Central Business District to LID Light Industrial District.

City Manager Raymond Allen presented a draft of the FY 2010/2011 Budget. The City Council has approved budget work sessions for Monday and Thursday May 4 and 6, at 5:00 p.m. to review the proposed budget. City Council will be requested to set a public hearing for May 17, 2010 to consider the proposed budget.

The City Manager indicated that for the seventh consecutive year the budget does not include a property tax increase. The revenues most adversely impacted have been sales and use taxes, investment income and the Powell Bill Street System revenues. Almost all funds are less than in the current year budget and the current year is less than prior years. Sales tax revenue has had three straight years of decline.

This includes no proposed merit or cost of living (COLA) increases for City employees and is based upon freezing approximately 12 employee positions due to retirements and resignations. Also, proposed is no out of state travel except in special situations as for the CALEA accreditation process for the Police Department or an emergency. There will be no tax property tax rate increase and will remain at \$.56. The

proposed budget recommends a 4.5% adjustment in water and sewer rates above the minimum usage and recommends a retail rate adjustment of either 4.2% effective July 1 or 4.5% increase effective October 1, 2010 to partially offset the City's wholesale rate increase.

Mr. Allen stated that a copy of the proposed budget will be available for public inspection at the Stanly County Public Library and the City Clerk's office.

Upon questioning by Councilmember Alexander, the City Manager stated that the City's proposed budget is based on the budget Governor Perdue presented. Most things can be adjusted if need be after the budget is adopted but we would not be able to adjust the City's tax rate after the budget is approved.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the City Council approved setting public hearing for Monday, May 17 to consider the proposed FY 2010/2011 Budget.

The Mayor and City Council considered an approval of the final change order for electric meter replacement in Amhurst Gardens Apartments. This change order decreases the amount of the contract with JT Yates Electric Service in the amount of \$1,088.00. Council received a memo from Gary Lewis to Michael Ferris explaining the change order, as well as a copy of the change order and a certificate of completion. The contract was administered by Stogner Architecture PA.

Upon a motion by Councilmember Alexander, seconded by Councilmember Underwood and unanimously carried, the City Council approved the final change order for electric meter replacement in Amhurst Gardens Apartments decreasing the amount of the contract in the amount of \$1,088.00

The Mayor and City Council considered the renewal of employee medical insurance for FY 2010-2011. Since the budget work sessions, the City Manager noted that the City received notification from Blue Cross/Blue Shield that the City's renewal would require approximately a 1.5% increase. The City consultant, Bill Webb, Jr. of CEBA, negotiated a renewal with no increase for the current plan structure.

Human Resource Director Robert Whitley stated that the City will probably place its program out for bid next year. We usually do this every year but not this year.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council approved the renewal of employee medical insurance for FY 2010-2011 with no increase.

The Mayor and City Council considered an ordinance to establish term limits for the Albemarle Planning Board. City Attorney David Beaver distributed a draft of this ordinance at the April 19 meeting.

Based on Council review, Ordinance 10-16 establishing term limits for the Planning Board will have a correction to Section 1 A) Membership, to strike through the word Adjustment. This is to be corrected before the 2nd reading on Monday, May 17.

Upon a motion by Councilmember Underwood, seconded by Councilmember Napier, and unanimously carried, an Ordinance entitled (Ordinance 10-16) "AN ORDINANCE TO ESTABLISH TERM LIMITS FOR THE CITY OF ALBEMARLE PLANNING BOARD." passed first reading.

Councilmember Neel asked if the Board of Adjustment understands that there is no priority for an alternate to automatically move up to become a regular board member. He stated that Council should make sure the alternates realize this.

The Mayor and City Council considered an ordinance to establish term limits for the Albemarle Zoning Board of Adjustment. City Attorney David Beaver distributed a draft of this ordinance at the April 19 meeting.

Upon a motion by Councilmember Underwood, seconded by Councilmember Napier, and unanimously carried, an Ordinance entitled (Ordinance 10-17) "AN ORDINANCE TO ESTABLISH TERM LIMITS FOR THE CITY OF ALBEMARLE BOARD OF ADJUSTMENT." passed first reading.

The Mayor and City Council considered an ordinance to amend Ordinance 08-42 for 2008 Public Housing Capital Funds. HUD authorized reallocation to allow for Non-Dwelling Structures and increased costs & fees and reducing the original amount allocated to Dwelling Structures. The total amount of the Grant has not changed; just the allowable expenditures.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, and unanimously carried, an Ordinance entitled (Ordinance 10-18) "AN ORDINANCE TO AMEND 2008 GRANT ORDINANCE 08-42 FOR A PUBLIC HOUSING CAPITAL FUND PROGRAM." passed first reading.

The Mayor and City Council considered a resolution to oppose a moratorium on Local Government Broadband Authority. This resolution would oppose proposed legislation in the North Carolina General Assembly to place a moratorium on local government broadband systems. The Stanly County Board of Commissioners will also be considering a similar resolution at their meeting on May 3. As noted by the City Manager, this proposed legislation is part of an effort by cable television companies and other providers of telephony, internet and video services to prevent competition from local governments such as the systems that have been established in Wilson and Salisbury. This would also affect the local efforts to establish a county wide fiber optic network to provided high speed broadband.

Councilmember Hall asked 1010 WSPC radio station representative Leon Warren, if tonight the County voted on this and how the vote turned out. Mr. Warren stated that the County did vote on this and it passed unanimously.

Upon a motion by Councilmember Hall, seconded by Councilmember Alexander, and unanimously carried, the City Council approved a resolution to oppose a moratorium on Local Government Broadband Authority.

(Resolution 10-14. To urge the State to oppose proposed legislation to place a moratorium on local government broadband systems.)

The Mayor and City Council received a reminder of the joint meeting of Albemarle, Concord and Kannapolis City Councils on Wednesday, May 5. This meeting will be held at 6:00 pm in the Community Room at City Hall for a presentation on a potential joint water project.

Councilmember Hall stated she received a complaint about the intersection of US Highway 52 N and Efird Street and the problems at that intersection. She

explained to them that this is a State road and they would need to contact NCDOT with this complaint.

Councilmember Hall stated that at this morning's meeting, the National League of Cities (NLC) is opposing the legislation of collective bargaining. The NLC is asking congressman and senators not to look at this.

Councilmember Hall asked which Council members will be attending Town Hall Day on June 16.

Councilmember Hall gave a positive comment on the article written about the new City Hall in the Southern City publication.

Councilmember Neel stated that he has a complaint with Waste Management. There were small items of trash falling off of their garbage truck on Colonial Drive. He said that he rode almost the full route of Colonial Drive and the driver did nothing about this issue. Mr. Neel also said that Waste Management needs to replace more of the damaged carts that they have damaged in their routes. He stated that Waste Management's answer was that the carts were on order.

Mayor Whitley asked the City Manager to contact Waste Management about these complaints.

Councilmember Hall stated that on the street where she lives, the trash carts are being left in the road and becomes a problem when 10 or more carts are left in the road like this. She gave the house numbers of the ones left in the road on her street to Waste Management.

Councilmember Alexander stated that Waste Management will not pick up yard waste that is left if just a small amount. Large piles of yard waste they will pick up. Most people do not know to place these small amounts of yard waste in their trash cart.

City Manager Raymond Allen stated that Council should find a copy of the draft Bicycle Plan on the dais. Parks and Recreation Director Toby Thorpe will schedule the consultant to present this plan at the May 17 Council meeting if there is no objection.

The City Manager also said that Council should have a copy of the news release concerning the proposed City Budget.

Chief Michael came before Council to say that a Law Enforcement Memorial Service will be held on Monday May 10th at 1 pm at Courthouse Square Park. Project Lifesaver will be arriving at approximately 1:30 pm. This is a group of motorcycle riders traveling the state with flags honoring fallen police officers.

There will not be a speaker, but there will be a 21-gun salute and then the bikes will come in.

Upon a motion by Councilmember Underwood, seconded by Councilmember Alexander and unanimously carried, the City Council adjourned to Tuesday, May 4, 2010 for a Budget Work Session at City Hall at 5 pm.