

REGULAR MEETING CITY COUNCIL  
November 15, 2010

The City Council of the City of Albemarle met in a regular session on Monday, November 15, 2010 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.

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Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the minutes of November 1 regular session and November 1 closed session were approved as submitted.

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Mayor Whitley stated that City Council has a copy of the monthly departmental reports in their agenda packets and asked if there were any questions.

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

(Ordinance 10-02. To amend the Sign Ordinance to allow signs historic in nature in the CBD/Central Business District.)

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The Mayor and City Council received an update on a request for Bobby Rorie to appear before Council to discuss construction progress and plans for 1136 Gibson Street. The City Council requested staff write Mr. Rorie a letter and ask that he appear in person prior to the end of November to discuss his plans for restoration of his property located at 1136 Gibson Street. The City Manager noted that Planning and Community Development Director Bob Sasser sent a letter to Mr. Rorie dated October 12. Mr. Rorie called Mr. Sasser this week and indicated he could not be present prior to the first of the year due to his work and this being a busy time of year.

Councilmember Townsend stated that Mr. Rorie's place of employment has black out dates where there is no time off involves 6-7 days working each week

during holidays. Mr. Rorie's work load and work schedule would not permit him to attend before the 1<sup>st</sup> of the year.

Upon questioning, it was stated that Mr. Rorie's second extension of 90-days was up in October.

Councilmember Holcomb asked that Mr. Rorie appear before Council the 1<sup>st</sup> meeting in January or Council cannot work with him any longer on this. She asked that this be stated in the record.

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The Mayor and City Council considered an appointment to fill an unexpired term on the Planning and Zoning Board. This issue was laid over from the November 1 meeting. Mr. Henkenjohann has resigned from the Planning Board citing other obligations. The City Manager noted that City Council can appoint a replacement to fill the remainder of his term, which expires in July 2013.

Councilmember Neel stated that he had asked Terry Hatley to consider serving on the Planning Board and Mr. Hatley said he would talk this over with his wife. Mr. Neel stated that Mr. Hatley lives in west Albemarle and would be a great asset to this board.

Upon a motion by Councilmember Neel, seconded by Councilmember Hall and unanimously carried, the Council approved appointing Terry Hatley to fill an unexpired term on the Planning and Zoning Board.

Terry Hatley - Term Expiring July, 2013

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The Mayor and City Council discussed Albemarle Badin Comprehensive Transportation Plan. The City Manager noted that the NC Department of Transportation will be conducting this plan which will replace the 2002 Albemarle Thoroughfare Plan. The CTP differs in that it is multi modal and includes pedestrian and bicycle elements in addition to roads and highways. Michael Ferris, Bob Sasser, Keith Wolf and the City Manager met with representatives of NCDOT, Stanly County and Badin last week to discuss this process. There will be a steering committee that will guide this process made up of appointees from all the stakeholders. NCDOT has asked that the City submit names of City staff, Parks and Recreation and the pedestrian/cycling community for this committee.

City Manager Raymond Allen stated that a CTP was completed recently for Norwood. Albemarle, Badin and part of the New London area will be next. He stated that there was a meeting with NCDOT and the RPO on November 3 at the City Hall. These appointments are at the discretion of City Council.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the Council approved appointing Keith Wolf, Mike Lambert and Toby Thorpe as the City staff/Parks and Recreation appointees and Charles McComas as the bike/pedestrian appointee.

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The Mayor and City Council considered the approval of a supplemental agreement with NC Department of Transportation. This agreement provides for an additional appropriation of American Recovery and Reinvestment Act funds through NCDOT in the amount of \$56,777 for Phase II of the Roger F. Snyder Greenway. The City Manager noted that City Council had requested additional funding for this project due to unanticipated requirements from the Federal Highway Administration that came with ARRA funding. This request was supported by NCDOT staff and the City has been awarded an additional amount of \$56,777 for this project, which should be enough to cover its costs.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the Council approved a supplemental agreement with NC Department of Transportation which provides for an additional appropriation of American Recovery and Reinvestment Act funds through NCDOT in the amount of \$56,777 for Phase II of the Roger F. Snyder Greenway.

Councilmember Hall requested that a thank you letter be sent to Ritchie Hearne, Neal Stroup, and Davis Diggs with NCDOT for helping secure this additional appropriation of funds.

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The Mayor and City Council discussed the findings of the Municipal Environmental Assessment Coalition Study. This Coalition was formed by the NC League of Municipalities to perform an analysis of the financial impacts of the State's mandatory Triennial Review. The City Manager noted that the City Council previously authorized participation in the MEAC, which was formed by the League to try to estimate the financial impact of proposed new standards for metals for wastewater discharges. These proposed standards come out of the Triennial Review, which the state is required by the federal government to perform for water quality standards.

The City Manager also stated that the League hired Stearns and Wheeler to perform the study, which looked at a representative sample of the state's 296 wastewater treatment plants. The utilities most likely to be affected by these proposed rules are ones where the discharge from the WWTP exceeds 15% of the receiving stream flow, such as Albemarle. The changes will impose much stiffer requirements on the levels of discharge of heavy metals, which will in turn, require expensive equipment upgrades at WWTP's. The study estimates compliance costs between \$590 million to \$6 billion over 20 years.

The League has presented the results of this study to NCDENR. The next phase of the study will be to examine the policies that the Division of Water Quality will use to implement the metals standards, and to suggest ways to amend these policies to lessen the financial impact on municipalities.

Councilmember Alexander asked the time frame on all of this. The City Manager stated that at this point we are not sure what the effective date will be.

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The Mayor and City Council discussed the presentation of NC League of Municipalities Retirement and Memorial Resolutions. At its annual meeting a few weeks ago the League adopted these resolutions as requested by the City. There are 5 retirement resolutions for employees that retired during the past year and a memorial resolution honoring former City Attorney Henry Doby.

Councilmember Holcomb asked that Ruby Gainey be placed on the resolution list for next year.

City Council decided to wait until February 2011 to present the retirement and memorial resolutions for this year.

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The Mayor and City Council considered attendance at the Stanly County Council of Governments meeting on November 30. This meeting will be held at Red Cross Baptist Church at 6:30 p.m. The City Manager noted that pursuant to a request from the Local Government Liaison Group, the County Manager has invited the Stanly County School Board and Superintendent to this meeting to discuss how the state budget may impact school operations and facilities and to provide an opportunity for a discussion between the school board and municipal elected officials.

All City Councilmembers confirmed attendance to the Stanly County COG meeting on November 30. Upon questioning, the City Manager stated that Council can meet at City Hall around 6 pm to go as a group in the City van.

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The Mayor and City Council reviewed a draft letter to Time Warner Cable regarding objections to proposed price increases for cable services.

All Councilmembers were very pleased with the draft letter created by the City Manager and approved for signing.

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The Mayor and City Council received a reminder about the local officials meeting on the proposed widening of NC 24-27 from Albemarle to the Troy Bypass. This meeting will be held from 2 pm to 3 pm on November 18, 2010 at Stanly Commons. This will be followed by a Citizens Informational Workshop from 4 pm to 7 pm.

Councilmember Hall stated that there would also be a Rural Planning Organization (RPO) meeting the same night at Stanly Commons from 6-8 pm.

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The Mayor and City Council received a reminder about the Downtown Christmas Open House. This event will be from 6 pm to 9 pm on Friday, November 19. Councilmember Holcomb stated that the City Hall tree lighting would be at 8 pm this year.

The City Manager asked that Council be at City Hall at 8 pm for the tree lighting.

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The Mayor and City Council received a reminder that City Offices will be closed on Thursday and Friday, November 25 and 26. This will be in observance of the Thanksgiving Holiday.

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Councilmember Holcomb stated that she would like to thank Nancy Kerr for the gifts placed on the dais for each Councilmember.

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The City Manager stated that there is one more item that Council needs to address tonight, pertaining to a capital project budget ordinance

relating to the Kannapolis, Concord, and Albemarle interlocal agreement for water sales and purchase.

Finance Director Colleen Conroy handed out a copy of this ordinance under consideration to Council.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier, and unanimously carried, an Ordinance entitled (Ordinance 10-37) “AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, ADOPTING A CAPITAL PROJECT BUDGET ORDINANCE RELATING TO THE KANNAPOLIS, CONCORD, AND ALBEMARLE INTERLOCAL AGREEMENT FOR WATER SALES AND PURCHASE.” passed first reading.

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