

REGULAR MEETING CITY COUNCIL
December 6, 2010

The City Council of the City of Albemarle met in a regular session on Monday, December 6, 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.

The Mayor and City Council received the results from the 2010 Employee United Way Committee on the City United Way Campaign.

AFD Battalion Chief Tony Upchurch, Assistant Public Works Director Nina Underwood, and APD Assistant Chief Ted Smith are the members of this committee. Mr. Upchurch and Mrs. Underwood came before City Council to report that the City employees gave 50% more this year than last year with a total of \$20,187. This exceeded last year's total of \$15,466.

The Mayor stated that the City Manager had asked that City Council approve a day of annual leave for AFD Battalion Chief Tony Upchurch, Assistant Public Works Director Nina Underwood, and APD Assistant Chief Ted Smith as a small token of appreciation.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the City Council approved a day of annual leave for all three employees as a small token of appreciation.

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

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

(Ordinance 10-37. To adopt a capital project budget ordinance relating to the Kannapolis, Concord, and Albemarle Interlocal Agreement for water sales and purchase.)

The Mayor and City Council considered a one lot subdivision on Charter St. in the Brookwood Industrial Park. The City Manager noted that the Planning Board on November 30, 2010 unanimously approved a request from South Central Oil Co. for a one lot subdivision in the Brookwood Industrial Park.

Mr. Ben Lisk with South Central Oil Company came before City Council and answered any questions that Council had. The easement area of .47 acre is still a part of South Central Oil Company.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the City Council approved a request from South Central Oil Company for a one lot subdivision in the Brookwood Industrial Park.

The Mayor and City Council considered write-offs in the Department of Public Housing for the six month period ending June 30, 2010. The City Manger noted that the Public Housing Department and Finance Department will continue to try to collect these debts, but for accounting purposes they should be written off.

Upon a motion by Councilmember Alexander, seconded by Councilmember Townsend and unanimously carried, the City Council approved write-offs in the Department Public Housing for the six month period ending June 30, 2010 in the amount of \$ 985.21.

The Mayor and City Council received a Section 8 HCV Program Funding update. The Section 8 HCV Program is experiencing less funding from HUD and

increases in Housing Assistance payment costs for the Housing Choice Voucher Program. The City Manager noted that a reduction in program reserves will occur to meet monthly housing assistance payments until HUD provides appropriate funding and through attrition and other measures until funding & program expenses are balanced.

Director of Public Housing Garry Lewis came before City Council and proposed changes in departmental policies to address issues such as limiting transfers, prohibiting transfers to metropolitan areas with higher payment standards that must be subsidized by our department and budget, and reducing the active number of vouchers we provide through attrition. He said these changes are more preferable than more drastic measures that have been taken by other housing agencies, like terminating existing Section 8 participant contracts.

Upon questioning by Councilmember Hall, Mr. Lewis stated that his department is preparing for fewer funds from HUD and trying not to spend more than they receive in assistance.

Upon questioning by Councilmember Neel, Mr. Lewis said if any tenants decide to move to another county, the City's Section 8 program will try to absorb these costs.

Councilmember Townsend asked about the department notifying landlords that if they increase their rent payment, their property could be eliminated from the Section 8 program. Section 8 Manager Rachel Hough came forward and stated that they have talked with landlords about trying to keep rent amounts the same. She also said the department will limit the transfer of tenants in and outside of Stanly County, only allowing this in emergency cases such as fire, foreclosure domestic violence, etc.

Councilmember Hall asked out of the 295 vouchers that Albemarle has, what % is inside Albemarle. Ms. Hough stated that 95% of vouchers are in Albemarle.

Mr. Lewis stated that they will continue to limit transfers and try not to use reserves allowed this year.

Upon a motion by Councilmember Townsend, seconded by Councilmember Neel and unanimously carried, the City Council approved Section 8 HCV Program to limit transfers, prohibit transfers to metropolitan areas with higher payment standards that must be subsidized by our department and budget, and reducing the active number of vouchers we provide through attrition.

The Mayor and City Council considered approval of a new provider for voluntary employee dental coverage. The City Manager noted that Council received information on the renewal rates and request for new dental provider. The current

provider is proposing a significant increase, and the City's benefits consultant and Human Resource Director Robert Whitley are recommending a change in providers.

Human Resource Director Robert Whitley came before Council and stated that the City's present dental carrier is increasing the rates 42.01% on our dental program paid by employees. We had a two-year guarantee, but Citizens Security is not allowing this. Our Consultant with CEBA Bill Webb, Jr. is recommending we change to Always Care at an increase of 16.20% over rates paid currently. This is the smallest increase of the carriers that responded with a two-year rate guarantee. The carrier approved by Council will go in effect January 1, 2011.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood, and unanimously carried, the City Council approved changing carriers to Always Care. This being the smallest increase of those responding, at an increase of 16.20% increase over current rates and carries a two-year rate guarantee.

The Mayor and City Council discussed enforcing code violations at 804 Austin Street. The City Council received a citizen complaint in May about nuisance and code violations at 1404 Pennington Road, which is owned by Mr. Oscar B. Hinson II. Mr. Hinson owns a number of properties within the City limits that are in poor condition.

The City Manager noted that Council initially instructed staff to proceed with enforcement of any violations against this property, but later rescinded these instructions and instructed staff not to pursue any violations at this location. Recently staff received a complaint from neighbors about another property owned by Mr. Hinson at 804 Austin Street. The neighbors have stated that vagrants are gaining access to the building which is not secure, and they are concerned about neighborhood safety. Prior to enforcing any violations on these properties, we are seeking clarification from City Council.

Councilmember Neel stated that he will talk with Mr. Hinson about the code violations at Austin Street.

Councilmember Townsend stated that he had a complaint about a burned property located at 435 Alfred Street being an eye sore and also a house at 412 Colston Street with the roof falling in.

Planning and Community Development Director Bob Sasser came forward and stated that the burned house on Alfred Street is still in foreclosure. Once it is released the City will tear down. We are in process with the house at 412 Colston Street that has the roof falling in.

Councilmember Holcomb asked about two houses in disrepair at 802 and 804 Hill Street on the left. Mr. Sasser stated that he is aware of these properties also.

Senior Planner Keith Wolf came forward and stated the house at 732 North 2nd Street directly after the YMCA was placed under bankruptcy recently.

Councilmember Napier stated staff needs to take a look at the 2nd house on the left on Rock Springs Road also.

Mayor Whitley stated that staff will check further on the properties brought forward by Council tonight and bring information back at a later meeting.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall, and unanimously carried, the City Council approved proceeding with code violations on the 1404 Pennington Road property and the 804 Austin Street property.

Upon a motion by Councilmember Hall, seconded by Councilmember Alexander, and unanimously carried, an Ordinance entitled (Ordinance 10-38) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, TO AMEND FY 2010-2011 BUDGET." passed first reading.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall, and unanimously carried, an Ordinance entitled (Ordinance 10-39) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, TO AMEND 2010 GRANT PROJECT ORDINANCE 10-09 SNYDER GREENWAY PROJECT." passed first reading.

The Mayor and City Council discussed the potential financial impact of the Bush Administration unfunded mandate as part of the Manual of Uniform Traffic Control Devices (MUTCD) that would cause changes regarding street signs at certain dates or events. This mandate is in regards to the size, lettering and reflectivity of street signs. Councilmember Townsend requested that this item be placed on the agenda for Council discussion.

The City Manager noted that the Federal Highway Administration will call for additional public comment on the proposal, and hopefully ease the requirements. Public Works Director Mike Lambert has been aware of these MUTCD changes, and has asked his staff to develop costs estimates for this mandate.

Mr. Lambert came forward and stated that this will affect speed limit signs, street name signs and stop signs in their size and reflectibility. By 2012, there will need to be a plan adopted by City Council bringing all signs into compliance. The financial impact for the City could be upward of \$200,000. Changing upper and lower case lettering to all upper case would not be until the signs need to be replaced and reflective signs would need to be in place by January 2018. Mr. Lambert stated that the US Transportation Secretary opened comments for 45 days. Our department wants to get our plan together with better direction.

Councilmember Hall asked that a letter be sent to the proper authorities on this matter. Councilmember Townsend stated that the NC League of Municipalities should address this on behalf of all the municipalities in NC.

Upon questioning by Councilmember Hall, the City Manager stated that this could affect the tax rate upward of \$.02 per \$100 of assessed property value. Mayor Whitley asked that letters be drafted and sent to the proper federal authorities and a copy to the NC League of Municipalities for backup support.

Councilmember Neel asked Mr. Lambert what would happen if the City does not comply. Mr. Lambert stated that it could affect our funding. The City Manager stated that he did not think it could affect the Powell Bill because it is through the state and this mandate is federal.

Councilmember Holcomb stated that she believes her street is Wendover Street but the sign says Wendover Avenue. Mr. Lambert stated that he will check the legal description of her street and get back with her.

The Mayor and City Council discussed a proposal to consider establishment of Citizens Academy. Councilmember Neel saw an article regarding the City of Shelby and thought that it might be something that City Council may want to consider. The City Manager noted that in order to put together a quality program, it would take some lead time and a considerable amount of staff time, but can be explored moving forward if City Council so directs. This would be an interactive program that focuses on educating citizens about the City's governmental processes.

Councilmember Neel stated that we should contact the City of Shelby and see what they are doing and the cost of a program as this.

Mayor Whitley stated that we would need to determine what cost would be associated with this program.

Councilmember Hall stated that our Police Department has a citizen academy through Stanly Community College.

The Mayor and City Council considered the appointment of a delegate and alternate delegate to Centralina Council of Governments. The City Manager stated that we have received a request from Centralina Council of Governments to appoint the City's delegate and alternate for 2011. Currently Councilmember Hall serves as the City's delegate and Councilmember Townsend serves as the alternate.

Upon a motion by Councilmember Neel, seconded by Councilmember Councilmember Underwood, and unanimously carried, the City Council reappointed Councilmember Hall as the delegate and Councilmember Townsend as the alternate to Centralina Council of Governments.

The Mayor and City Council considered a Memorial Resolution honoring Wilson James Barbee. Mr. Barbee was a former Mayor and current member of the Locust City Council who passed away on November 23, 2010. Councilmember Holcomb requested that I draft a memorial resolution for consideration by City Council.

Upon a motion by Councilmember Neel, seconded by Councilmember Underwood, and unanimously carried, the City Council approved a Memorial Resolution Honoring Wilson James Barbee.

The Mayor and City Council reviewed draft letters to NC Department of Transportation. At its meeting on November 15, City Council asked that the City Manager draft letters to NCDOT staff regarding their assistance with obtaining additional federal funding for Phase II of the Snyder Greenway.

City Council approved and signed letters for Barry Moose, Ritchie Hearne, Davis Diggs, and Neal Stroup with the NC Department of Transportation for their assistance with obtaining additional federal funding for the Snyder Greenway.

The Mayor and City Council considered attendance at the 2011 Unity Prayer Breakfast on January 15, 2011. This event will be held at 8:00 am at the EE Waddell Community Center in commemoration of the life of Dr. Martin Luther King, Jr. This event is sponsored by the Stanly County Chapter of the NAACP and will be held in the newly renovated banquet facilities at the EEWCC. Tickets can be purchased, which are \$15.00 for any one interested in attending.

The Mayor asked that any Councilmember deciding to attend should let the City Manager know as soon as possible.

The Mayor and City Council considered attendance at the NCLM Legislative Advocacy Conference on January 20 at the Raleigh Convention Center. The City Manager noted that this conference is a new event developed by the League of Municipalities to provide more opportunity for input, discussion and consideration by member municipalities regarding the League's legislative agenda. The City Manager encouraged Council to attend this event

The Mayor asked that any Councilmember planning to attend to let the City Manager know. The City Manager encouraged all members that can, try to attend. Councilmembers Hall stated she plans to attend.

The Mayor and City Council considered the designation of a voting delegate and alternate delegate for NCLM Advocacy Conference on January 20. The City Manager noted that Council will need to appoint a voting delegate and alternate from among the board members who plan to attend this meeting. It will be from 9:30 am to 5:00 pm at the Raleigh Convention Center.

The City Council decided to wait and vote on this item at the next Council meeting on December 20, 2010.

The Mayor and City Council received the Stanly County Convention and Visitors Bureau Financial Statements. This is for the Fiscal Year ending June 30, 2010.

City Manager Raymond Allen stated that the report appeared to be a clear unqualified opinion with no irregularities.

The Mayor and City Council received the Albemarle Downtown Development Corporation Financial Statements. This is for the Fiscal Year ending June 30, 2010.

City Manager Raymond Allen stated that as Treasurer for the ADDC, the report appeared to be a clear unqualified opinion with no irregularities.

The Mayor and City Council received information about the City of Albemarle receiving an award of Special Recognition from the NC Main Street Center. The City Manager noted that this award is for Best Public Building Improvement for the Albemarle City Hall project will be presented at the NC Main Street Conference in Shelby January 26-28. The City of Wilson received the Award for its renovation of a former downtown bank building into a customer service center and Albemarle received Special Recognition for the renovation and expansion of City Hall.

The Mayor and City Council reviewed the Thank You Letter from Hospice of Stanly County for the Festival of Trees.

The Mayor and City Council were reminded of the Mayor/City Council/City Employees Christmas Luncheon on Thursday, December 16. This luncheon will be held at the City Service Center from 11:30 am to 1:30 pm and is again being coordinated by the Public Works Department.

The Mayor and City Council were reminded of the Stanly County Christmas Parade on Monday, December 13. The Parade will be held in downtown Albemarle beginning at 6:00 p.m.

The Mayor asked if any Councilmember was interested in riding in the parade to let the City Manager know.

Councilmember Holcomb wished everyone a Merry Christmas.

Councilmember Townsend stated that he wanted to wish the Albemarle High School Bulldogs good luck against Pender in winning the Division 1-AA Football State Championship this coming Friday night at 7:30 pm in Chapel Hill.

Councilmember Neel stated that he would like to complain about a Waste Management garbage truck being at Elizabeth Heights during the time lunch is being served there for the elderly. He requested that the trash truck not park there from 10 am–1:30 pm, because it is causing traffic problems.

Mr. Neel congratulated the Virginia Tech Hokies for winning the ACC Championship this past Saturday in Charlotte.

Mr. Neel also stated that he hopes to come back in two weeks congratulating the Albemarle Bulldogs on their Division 1-AA State Championship. He also said that Pender's coach, Tom Eanes, coached in Albemarle 25 years ago. If Albemarle wins the state championship this year, it will be the 5th time in 10 years. Also, buses will be available for people not wanting to drive and tickets to the game can be purchased at Albemarle High School for \$9 instead of \$10 at the gate.

The City Manager stated that the leaf collection has gone very well this season. Assistant City Manager Michael Ferris and Public Works Director Mike Lambert have closely monitored the leaf pickup this season. Mr. Allen said that he would like to commend Waste Management and they have worked extra hours when behind and are now on schedule.

Mr. Allen also stated that this would be the last Council meeting for Planning and Community Development Director Bob Sasser who would be retiring on Friday, December 17.

Mayor Whitley thanked Mr. Sasser for his great service to the City and that Council has great faith in newly appointed Keith Wolf who will be taking Mr. Sasser's place on December 20.

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