

REGULAR MEETING CITY COUNCIL  
July 19, 2010

The City Council of the City of Albemarle met in a regular session on Monday, July 19, 2010 at 7:00 p.m. in the City Hall. Mayor Elbert L. “Whit” Whitley, Jr. presided, and the following Councilmember’s 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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The Mayor and City Council presented a resolution honoring Victoria Coggins, retired ADDC Director. Ms. Coggins served as the Executive Director of the Albemarle Downtown Development Corporation from its inception in 1989 until her retirement on June 30, 2010. This resolution was adopted by the City Council on July 6.

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Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the minutes of July 6 regular session was approved as submitted.

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The Mayor and City Council received a report on a Senior Project / Disc Golf Course at City Lake Park. Zack Torrence, who graduated in June from Gray Stone Day School, chose as his Senior Graduation Project the development and installation of a nine-hole, beginner-level disc golf course at City Lake Park. Zack designed the course layout, raised approximately \$1,000 in funds from private donors, and assisted Albemarle Parks and Recreation staff in installing the course.

Zack Torrence was introduced by Parks and Recreation Director Toby Thorpe. Zack made a PowerPoint presentation explaining the course layout and location of each hole. He stated that the tees are under construction with a target date to open on August 1, 2010. He displayed the signage that will be used to recognize the sponsors of the course. In closing, he stated that this will be a family course also hosting senior tours, clinics and youth events.

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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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The Mayor and City Council discussed a request of Ms. Helen Hutchinson regarding a sewer line on her vacant parcel located off Lincoln Street.

The City Manager noted that this item was laid over from the last meeting. Ms. Hutchinson stated that she is trying to sell this parcel and she believes that due to the City placing a sewer line, two manholes and a road on it, she cannot sell it. There has been a sewer line on this property for over 50 years, but Ms. Hutchinson was not aware of this fact until the City did some repair work on the line and cleared out the right of way for the line a couple of years ago.

Councilmember Neel stated that he had spoken with Public Utilities Director Ernie Borders and he told him that City staff was at the back of Ms. Hutchinson's property 2-3 years ago doing repair work.

Councilmember Townsend stated that seeing the original map of 1951, it is obvious that the sewer line was in place at that time.

It was decided by Council to present this information to Ms. Hutchinson. Mayor Whitley stated that if the City Manager will put this in written form, he will talk with Ms. Hutchinson.

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The Mayor and City Council were informed that the updates to the Code of Ordinances are available and City Council is requested to bring their code books in to be updated. The Code of Ordinances is also available online and the online version is updated quarterly.

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The Mayor and City Council received a request of Homes of Hope to block one parking space on North Street. Homes of Hope is requesting that the single parking space between the two driveway cuts for the First Baptist Church parking lot on North Street be utilized as the location of a drive through pick-up for a fundraiser on Friday, July 30 from 11:00 a.m. to 7:00 p.m.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the City Council approved blocking the single parking

space between the two driveway cuts for the First Baptist Church parking lot on North Street as the location of a drive through pick-up for a fundraiser on Friday, July 30 from 11:00 am to 7:00 p.m.

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The Mayor and City Council considered a request of the Stanly County Family YMCA to close Glenn Street on Saturday, August 7, 2010 for an 8K race. City Council received a copy of the YMCA's application, a letter from Kelley Bigger of their staff and a copy of the City's policy. This is a request to close a portion of one City street, Glenn Street between North Second Street and Depot Street from 6:30 am to 9:30 am. Also, for the City to concur in a request to NCDOT to close North First Street between 6:30 am and 8:00 am for the start of the race.

Upon a motion by Councilmember Underwood, seconded by Councilmember Napier and unanimously carried, the City Council approved the closing of Glenn Street between North Second Street and Depot Street from 6:30 am to 9:30 am and concur in a request to NCDOT to close North First Street between Glenn Street and Franklin Street at 6:30 am and 8:00 am for the start of the race on August 7, 2010.

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The Mayor and City Council received a presentation of the updated City website. Assistant City Manager Michael Ferris provided an overview of the update and redesigned website. The City Manager noted that Michael Ferris has been coordinating a redesign of the City's website, which has not been redesigned since its original launch. This redesign was done in house to save money, and was started with the last IS Director, and then the new IS Director, Owen Squires assumed this. Most of the actual updates have been done by Mike Devlin in the IS Department. There are still some things in the process of being updated and added, but the site is now ready for launch and would like to present it to City Council for feedback prior to launch.

Assistant City Manager Michael Ferris reviewed the proposed changes made to the City's website. The present website has not been updated since originally designed and needed updating. Mr. Ferris stated that the City reviewed other municipal websites and patterned the design after those. He said that they tried not to have it too busy, but show the most needed information. A website is always a work in progress because items are always changing.

Mr. Ferris reviewed the layout changes of the main page and showed how keeping it clutter free; people are more able to locate what they need. A new heading added is How Do I. Visitors can learn how to apply, report, find, pay, view or contact a

department. Mr. Ferris stated that if this is okay with City Council, the new look will be live tomorrow.

Councilmember Townsend stated that he commends everyone that worked on the new design and how user friendly it looks. He asked if there was a link to meetings where there is information about public hearings. Mr. Ferris said this is a good suggestion and IS can add a public hearing category.

Councilmember Hall commended everyone involved. She asked if the public hearings are made available, someone will have to stay on top of this and remove public hearings as they occur.

Mr. Ferris stated that this new website will go live tomorrow. He asked if Council has any more ideas, just to let him know. Items can be easily changed. Each department will be trained to change information in and out pertaining to their department.

Councilmember Hall stated that creating a location for people to volunteer their services to committees could be placed under the How Do I item. Councilmember Holcomb stated that maybe having a list of the City boards and commissions and their current members on the website would also be a good idea.

Mayor Whitley thanked Mike Devlin with IS for all of his hard work on the design of the City upgraded website.

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The Mayor and City Council considered a request to set a public hearing for public review and comment of the 2010 Update to the Hazard Mitigation Plan as required by the State of North Carolina.

Engineering Services Director Jon Mendenhall stated that this would be an update. The Hazard Mitigation Plan was originally approved in 2005 and the first update is for 2010. It will be the 2005 plan with information changes only; the core will be the same. Any relevant facts will be added.

Councilmember Hall asked Mr. Mendenhall how soon Council needs to hold a public hearing and Mr. Mendenhall stated as soon as possible.

Upon a motion by Councilmember Hall, seconded by Councilmember Napier and unanimously carried, the City Council approved setting public hearing for Monday, August 2, 2010 for public review and comment of the 2010 Update to the Hazard Mitigation Plan as required by the State of North Carolina.

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The Mayor and Council considered a request from the Police Department to utilize additional funds to purchase equipment. The Police Department is requesting permission to use drug tax funds and other funds such as federal and insurance funds to purchase bullet proof vests, and funds from the sale of surplus equipment to purchase a vehicle and other equipment. They hope to have as much as \$45,000 in new funds for this purpose. A budget amendment will be submitted to City Council when all of these funds have come in.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council approved a request from the Police Department to utilize additional funds to purchase equipment.

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The Mayor and City Council considered an appointment for an unexpired Term of third alternate on the Zoning Board of Adjustment.

This vacancy occurred when former Board of Adjustment First Alternate Randy Shank was moved to the Planning and Zoning Board, and John Sells and Terry Pleasant were moved up to first and Second Alternates, respectively.

Councilmember Alexander said he would like to nominate Lawrence Durrett or Max Bogle from the volunteer candidates list.

Councilmember Holcomb stated she would like to nominate Jo Ann Harrington.

Councilmember Townsend stated that he feels a name from the list should be nominated because they have already agreed to serve. Councilmember Hall agreed with Councilmember Townsend.

Councilmember Holcomb requested that Jo Ann Harrington be asked if she would be willing to serve for a possible future appointment. Councilmember Neel stated he would discuss this with Mrs. Harrington.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, the following appointment was made to the Zoning Board of Adjustment as third alternate.

Max H. Bogle - Term expiring July, 2013

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The Mayor and City Council discussed a requirement to adopt a Code of Ethics for Local Government Elected Officials. The City Manager noted that the 2009 session of the General Assembly adopted a requirement that all North Carolina local governments and boards of education adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of their official duties. This is required to be adopted by January 1, 2011. The legislation did not mandate a specific code of ethics, but did require that codes address the following five areas:

1. The need to obey all applicable laws regarding official actions taken as a board member.
2. The need to uphold the integrity and independence of the board member's office.
3. The need to avoid impropriety in the exercise of the board member's official duties.
4. The need to faithfully perform the duties of the office.
5. The need to conduct the affairs of the governing board in an open and public manner.

A model Code of Ethics has been drafted and published by Fleming Bell of the UNC School of Government. The City Manager stated that City Council may consider adoption of this in its present form, can modify it as they see fit, or can consider the adoption of a different code entirely.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Neel and unanimously carried, the City Council adopted a Code of Ethics for local government elected officials.

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Mayor Whitley announced that Henry Doby had passed away. He served as City attorney for 47 years. The Mayor stated that he was one of the top attorneys working with city government in the state and one of the most honorable. He will surely be missed.

City Manager Raymond Allen stated that his memorial service will be Saturday, July 24 at First Street United Methodist Church at 4 pm.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the City Council approved a bronze plaque to be placed in the lobby in honor of Mr. Doby. She stated that she would like to name something after him later at some point.

Upon a motion by Councilmember Alexander, seconded by Councilmember Holcomb and unanimously carried, the City Council approved the drafting of a resolution in honor of Mr. Doby for his family and to place in the minutes.

Councilmember Neel stated that he had worked with Mr. Doby for over 43 years and he was a great colleague and friend.

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Councilmember Hall stated that she has an update on some of the kids activities planned for the City's 100<sup>th</sup> year of Public Power. She stated that Mia Bailey with ElectriCities is arranging to meet with the local elementary and possibly the middle and high school principals next week to work on activities for the celebration.

Councilmember Hall asked that Council receive a status report of companies using City power. She stated that the City Manager can report this to Council.

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Councilmember Neel asked that any Councilmember wanting to participate in the fabulous 40 sign this year to contact him. It is time to renew the sponsorship and he asked them to make checks payable to Albemarle High School and they would receive a tax exempt letter for this. The Albemarle High School athletic director will redo the sign at the football field.

Councilmember Neel stated that he is concerned that the public may not fully understand the full process of E-Gov. He has had problems with receiving an acknowledgment when placing a City request online. He asked that this be checked to see if there are any problems with the software.

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Upon a motion by Councilmember Neel, seconded by Councilmember Alexander, and unanimously carried, the City Council adjourned to a closed session pursuant to NCGS 143-318 (a) 3 to consult with the City Attorney.

Upon a motion by Councilmember Alexander, seconded by Councilmember Underwood, and unanimously carried, the City Council reconvened to open session. Mayor Whitley announced a closed session was held pursuant to 143-318 (a) 3 to consult with the City Attorney and that there was nothing to report at this time.

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