

REGULAR MEETING CITY COUNCIL
June 1, 2009

The City Council of the City of Albemarle met in a regular session on Monday, June 1, 2009, at 5:30 p.m. in the City Hall Annex. Mayor Elbert L. "Whit" Whitley, Jr. presided, and the following Councilmembers were present, to-wit: Martha Sue Hall, Judy Holcomb, Jeanette M. Napier, Jack F. Neel, Dexter Townsend, and T. Ed Underwood. Absent, Councilmember Troy E. Alexander.

Mayor Whitley delivered the invocation.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the minutes of the May 19 regular session; May 19 closed session and May 20 adjourned session were approved as submitted.

A public hearing was held to consider the request of GHA, Inc. to rezone 1519 East Main Street from GHBD to R8/Two Family Residential-Conditional Use-Duplex.

Mr. Dwayne Purkey of 1525 East Main Street came before City Council and stated that he owns property at 1503 and 1525, one on each side of 1519 East Main. He stated that he already had problems with people trailing through his property, people leaving shopping carts, and also vandalism. He stated that he already had enough problems with the existing multi-family properties that currently exist, and that he hopes Council will consider this before changing the zoning for another property to multi-family.

Councilmember Hall asked Mr. Purkey which of the two properties he lives in. He stated that he lives at 1503 and he has a rental property at 1525.

Councilmember Neel stated that it would change to R8/Two Family Residential and asked what Mr. Purkey would suggest. He stated that he would suggest a zoning of single family residential. He named the properties on both sides of the road near his property that is already single family residential. Councilmember Hall asked Mr. Purkey how large is each of his houses. Mr. Purkey stated that his rental property is

around 2200 square feet and the property he lives in at 1503 is around 3,000 square feet. He suggested zoning 1519 single family residential for a large family to reside in.

Beth Oliveri, Chairman of Group Homes for the Autistic (GHA) came before City Council and introduced herself and the Director of Operations, Dee Pankey. Ms. Oliveri stated that the former GHA was located at 1519 East Main Street and they had moved to 213 N 2nd Street into the former Stanly Funeral Home building. She stated that their move occurred in May of this year. She stated that they wanted to place the 1519 East Main Street property back to its original use prior to GHA being there, which would be R8/Two Family Residential.

Tonda Forest with GHA came before Council and stated that this duplex at 1519 East Main Street will be supervised 24 hours a day / 7-days a week by GHA staff. GHA will continue to operate at this location and traffic will be less than when the GHA administrative office was there. She stated that the administrative office had been located at 1519 East Main Street since 1985 and was a triplex before this. She also stated that the upstairs would not be utilized now.

Dwayne Purkey stated that this puts a whole new light on the situation knowing its intended used now and that GHA will still be on site in supervising and maintaining the property. Mr. Purkey said he withdraws his previous objection to the rezoning.

Upon a motion by Councilmember Townsend, seconded by Councilmember Hall and unanimously carried, the public hearing was held open until 7pm.

Mr. Chris Lambert, Director, Stanly County CVB came before City Council as an announced delegation to provide an update on CVB activities. He covered the Outdoor Heritage Days plans for next year. Also, he stated that the World Equestrian Games will be in America next year for the first time and the Outdoor Heritage Days is the stop before they reach Kentucky. He mentioned the fishing tournaments at Badin and Lake Tillery, the Cruise-Ins in Albemarle and Oakboro, the DOT regulated welcome signs, the Uwharrie AVA (American Viticulture Area), and their current commercials/marketing campaign. He stated that he would be back before Council with the 2008 report when it is complete.

Councilmember Neel asked Mr. Lambert if any board terms were expiring this year and Mr. Lambert stated that they were not. Mr. Neel asked that the City Manager add the CVB board to our list of boards.

Ms. Mecca Gramling came before City Council to request a street closing on Lincoln Street for an end of school year party. Ms. Gramling would like to close Lincoln Street from the intersection of Dr. Martin Luther King, Jr. Drive to the intersection of Elizabeth Avenue on the last day of school, Wednesday, June 10, 2009 from 5pm - 10 pm for an after school party.

Upon a motion by Councilmember Townsend, seconded by Councilmember Holcomb and unanimously carried, the City Council approved a street closing on Lincoln Street for an after school year party on Wednesday, June 10 from 5-10 pm.

The Mayor and City Council discussed concerns from citizens of South Albemarle about illegal activities and violent crimes in the South Albemarle community. Councilmember Townsend had contacted the City Manager to request that this item be placed on the agenda.

Bishop Richardson with Saints Delight Church came before City Council and stated that for several weeks he had met with concerned citizens from the South Albemarle Community to discuss what could be done to address the short term and long term needs that exist within the community. The community is seeking a partnership with the City Council, law enforcement, community agencies and the community to help develop a plan of action to address many issues in the South Albemarle Community. He asked if Council would be willing to share any human or material resources that will help rescue the community through workshops and programs to bring back a sense of a safe community. Bishop Richardson stated that he had been a pastor at Saint's Delight Church for 30 years.

Councilmember Hall asked Bishop Richardson if anyone has a plan of action as of yet. Bishop Richardson stated that they are working on getting a plan together. Councilmember Hall asked if they were going to choose a facilitator in house or from the outside. He said that someone would be chosen from the outside that has worked with these types of problems in communities in other places.

Councilmember Townsend stated that the group is working with Police Chief Michael in getting references and advice of who may be best to work with. Councilmember Hall stated that she would be glad to work on this and that this is a part of public safety in communities.

Councilmember Neel stated that they need to get an organization of mothers that help handle teenagers and young adults. Councilmember Hall stated that you have to start working with kids at the elementary school age and not wait until they are teenagers.

Councilmember Townsend asked Chief Michael about prosecuting 7-8 youngsters that were in the middle of the road blocking the street and would not move. Chief Michael stated that to be charged with obstruction of justice or disorderly conduct, an officer would have to see this action or a witness that would go to court and testify. He stated that it would be too costly to keep cameras in these areas. The initial cost and the damage that may be done.

Mayor Whitley stated that this would be a partnership with the community, citizens of South Albemarle, and the police department.

Councilmember Hall commented on a program she has become familiar with through her job in Union County. Mayor Whitley stated that if they catch someone the first time they get probation, 2nd time they get probation, 3rd time they get probation, and the 4th time they would serve time. Chief Michael said that this is referring to the 3 strike law, but rules must be met. He said that the court system is cutting back sentences due to the economy right now and the lack of prison space to place all of these individuals. He also said that the court system may eliminate a few prisons this year due to the economy. Councilmember Holcomb stated that the court system seems to be the real problem.

Mayor Whitley asked Bishop Richardson to stay in touch and keep Council informed of what they and the police department can do to participate.

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

The Mayor and City Council discussed the proposed FY 2009-2010 Budget. The City Council established June 15 for the second reading on the budget. This has been placed on the agenda for any discussion that City Council would like to have regarding the budget or the supplementary information that was provided at the May 19 meeting of City Council.

The City Manager stated that 1st reading was held at the last City Council meeting on May 19. The second reading will be at the next City Council meeting on June 15. This meeting tonight is for any questions or additional information that Council may have. Councilmember Hall thanked Mr. Allen for all the additional information that was given out at the last Council meeting per request of Council.

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

(Ordinance 09-18. To appropriate unbudgeted revenue in the Police Department.)

The Mayor and City Council considered revised letters to the Albemarle ABC System. The City Council requested that this letter be rewritten to include all of the ABC board members, and that letters be sent to them as well. These have been rewritten as individual letters, and a copy of these are attached for City Council's review.

The City Manager stated that if everything was okay, he would pass the letters around for Council signature. The City Council indicated their approval of the letters.

The Mayor and City Council discussed appointments to expiring terms on City boards and commissions. As requested by City Council, a letter was sent to each of the members whose terms are expiring to ask if they want to be considered for reappointment by City Council. City Council was provided with the results of this survey and the attendance records for the board members whose terms are expiring.

Councilmember Hall asked that this item be held over until the June 15 meeting when Councilmember Alexander would also be present to vote.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend and unanimously carried, the City Council decided to make appointments to expiring terms on City boards and commissions at the June 15 regular Council meeting.

The Mayor and City Council discussed concerns of residents regarding contractor workmanship for Alfred Street CDBG Project. Councilmember Townsend had contacted the City Manager to request that this item be placed on the agenda.

Councilmember Townsend stated that he had requested that this item be placed on the agenda. He also stated that the residents wanted an opportunity to speak before Council about their concerns.

Mr. Fernando Ponds came before City Council to speak about a property he owns at 534 Alfred Street. He wanted to thank Planning and Community Development Director Bob Sasser and James Luster with Centralina Council of Governments for working on this project. Mr. Ponds stated that he is very concerned about the workers and their quality of work there. He passed around photos to Council of some disturbing project mishaps. Also stated, was that the contractor tried to file a claim on the owners homeowners insurance policy of the walls falling down that had to be removed anyway. He said that someone needs to keep a check on the contractor and workers to make sure the work is performed correctly.

Mayor Whitley asked Mr. Sasser what the County building inspector is saying about the work performed at this site. Mr. Sasser stated that the building inspector issued the building permit and inspects the work. He said that Councilmember Townsend and Mr. Ponds brought this to his attention and he called James Luster with COG. Mr. Luster has talked with the contractor. He also said that the last check for the payment of the construction work will not be written until all things are satisfied by COG and himself.

Mr. Duvara Ponds came before City Council about his mother's home under construction at 433 Alfred Street. He stated that Mr. Sasser had responded each time he had been called about the problems there. He also mentioned another house with quality of work concerns due to the same contractor. He stated that the contractor is performing the work as long as an inspector, Mr. Luster or Mr. Sasser is on site, then he does what he wants when they are no longer there.

Mayor Whitley asked if there was a bond involved with this construction. Mr. Sasser stated that there was not to his knowledge. Mr. Sasser stated that the County had not approved the final inspection. Mayor Whitley stated that the inspector needs to see the photos brought forward tonight by Mr. Ponds.

Duvara Ponds stated that the contractor was bringing materials from other work sites that have already been used and there is drinking on the job. He stated that he thinks Mr. Luster is not showing the concern that he originally had for the project.

Mayor Whitley stated that Mr. Harrington, building inspector for the County needs to be contacted and make a visit to the site and see the photos brought forward tonight.

Councilmember Hall stated that James Luster needs to be a part of this along with Mr. Sasser. Mr. Sasser said that Mr. Luster would have been here tonight but had a previous engagement.

The Mayor and City Council considered approval of Daniel Vang Subdivision. A request of Diane H. Morris and Daniel T. Vang et. al. to divide a 35' wide, 0.25 acre lot from Ms. Morris' 4 acre lot on Prospect Church Rd. This was unanimously approved by the Planning Board at its meeting on May 26. This will allow the Vangs to construct a house on this 11.2 acre tract which is currently not allowed since the property does not abut a public street at least 35 feet. The Vangs propose to construct their driveway from Prospect Church Road into the property. The property can be served by water from Prospect Church Road and by sewer by a sewer trunk line that crosses this property.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the City Council approved the subdividing of a 35' wide, 0.25 acre lot owned by Diane H. Morris to Daniel T. Vang to construct a driveway from Prospect Church Road and for water access.

The Mayor and City Council considered a request of Norman Rogers and Norex Enterprises, LLC to subdivide the lot at 750 North Second Street into three lots: lot 1 being 1.96 acres (Better Buy Used Car lot), lot 2 being the house at 740 North Second Street, and the remainder being 3.65 acres where the miniwarehouses are located. This was unanimously approved by the Planning Board at its meeting on May 26. The owner has agreed to close the existing driveway north of the new easement when a new driveway is constructed within the new easement.

Planning and Community Development Director Bob Sasser came forward and explained exactly the need for the subdivision. Section 1 for the car lot, Section 2 for the residential property at 740 N Second Street, and Section 3 for the mini warehouses. Upon questioning, Mr. Sasser stated that this is being done due to refinancing purposes and to further develop the property. He also said that the new 30 foot easement in lot 1, will lead into the mini warehouses and then the existing driveway will be closed.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council approved Norman Rogers and Norex Enterprises, LLC to subdivide the lot at 750 North Second Street into three lots: lot 1 being 1.96 acres (Better Buy Used Car lot), lot 2 being the house at 740 North Second Street, and the remainder being 3.65 acres for the miniwarehouses.

Mr. David Creech with Creech & Associates gave a status report on the City Hall Project. He stated that the project continues to be on schedule with substantial progress being made every week. He stated that he is here to discuss a change order for the staircase in the 1938 building. Due to changes in building codes, this staircase will have to be substantially renovated or replaced. The architect had originally thought it would be allowed to remain as part of the historic structure and since it will be a little used staircase. However, the NC building codes do not provide much in the way of exemptions for renovating older buildings, so it appears we have no choice. The total cost of this change is \$30,704.00. Council received information about this in their agenda packet.

Mr. Creech stated that he has found overall very good workmanship with the project to date, but they have discovered an issue with some of the first walls that were constructed. Some of the brick ties were improperly installed not in accordance with the plans. The contractor, architect and structural engineer are discussing this, and the contractor has agreed to make any modifications approved by the structural engineer, or if necessary remove these walls and reconstruct these at his expense.

Councilmember Neel asked if the county inspector is participating and Mr. Creech stated that he is. Mr. Creech stated that the local inspector has worked with them a great deal in the modification of the existing stairs and it would be about half the price of building new stairs. He also said that DOI would normally yield to the local inspector. Councilmember Neel stated that he would like to see an appeal to DOI. The City Manager stated that the staircase would be used very little by the public.

Mayor Whitley asked Mr. Creech how long it would take to make an appeal to DOI and receive an answer back. Mr. Creech stated that it would be about a 60 day time frame. Councilmember Neel stated that the City could wait 10 days, and if no action, go ahead as previously planned. Mr. Creech said that it would take 10-14 days to prepare this appeal and if the City Manager approves, it would be preferred if he had approval to move forward without coming back before City Council.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the City Council approved Creech and Associates

to move forward in an appeal to DOI and in 2 weeks if not feasible, then move forward in the renovation or replacement of the staircase with a cost of \$30,704.

Councilmember Neel stated that there needs to be a fence between the new City Hall and Central Methodist Church for safety purposes. Mr. Creech stated that he would take a look at this and get back with the City Manager.

The City Council continued the public hearing to rezone 1519 East Main Street from GHBD to R8/Two Family Residential-Conditional Use-Duplex. No one from the public spoke for or against this matter at this time.

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

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

(Resolution 09-24. To rezone 1519 East Main Street from GHBD to R8/Two Family Residential-Conditional Use-Duplex.)

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, and Ordinance entitled (Ordinance 09-19) "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 request to rezone a 1.39 acre tract on Henson Drive to rezone from HID to R8A/Multi-Family Residential.

Mr. Matt Rabe, a representative of Wynnefield Properties, came before City Council and stated that the Wynnefield Properties will come back before City Council for annexation once the County zones the property outside of the City jurisdiction.

Councilmember Neel stated that the City will have to annex the property and then will have to zone the property again. He asked Mr. Rabe if Wynnefield Properties was going to develop the land north of the driveway. Mr. Rabe said

Wynnefield would not be developing anything north of the driveway. He also said that all apartments would share the same entrance off of Henson Drive.

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

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

(Resolution 09-25. To rezone a 1.39 acre tract on Henson Street.)

Voting in favor of the motion were Councilmembers Hall, Holcomb, Napier, Townsend and Underwood. Voting in opposition to the motion was Councilmember Neel.

Upon a motion by Councilmember Hall, seconded by Councilmember Townsend, an Ordinance entitled (Ordinance 09-20) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA TO AMEND THE ZONING ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA" passed first reading. Voting in favor of the motion were Councilmembers Hall, Holcomb, Napier, Townsend and Underwood. Voting in opposition to the motion was Councilmember Neel.

Councilmember Hall left the Council meeting at this time.

Upon a motion by Councilmember Neel, seconded by Councilmember Townsend and unanimously carried, the City Council approved Councilmember Hall being excused from the meeting.

The Mayor and City Council considered a request for traffic calming measures in the parking lot beside playground at Amhurst Gardens. Due to continuous loitering, excessive litter, and a recent injury to a youth & an adult, the residents that live directly in the playground area have requested that housing install speed inhibitors inside the paved area. The request is to put two or three speed bumps in the driveway/parking area that circles around the playground. The intent of these speed bumps is to reduce speed and to discourage "cruising" that occurs through this parking lot.

Public Housing Director Garry Lewis came before City Council stated that this is a request by the residents to have speed inhibitors to hopefully reduce the speed through the parking lot at Amhurst Gardens. Mr. Lewis stated that the police department had met with the residents at Amhurst Gardens who would have to drive over these speed bumps daily and they want this.

Councilmember Holcomb asked Mr. Lewis what the cost to the City would be for the speed bumps. Mr. Lewis stated that it should be less than \$1,000 and the work would be performed by the City's public works department. The City Manager said that they are proposing 3 of the speed bumps for the parking lot.

Upon a motion by Councilmember Townsend, seconded by Councilmember Holcomb and unanimously carried, the City Council approved the installation of 3 speed bumps to help reduce the speed and to discourage "cruising" that occurs through the parking lot at Amhurst Gardens by the City's public works department.

The Mayor and City Council reviewed the Public Housing write-off accounts. These are the outstanding write-offs for the period July 2008 thru December 2008 that will need City Council authorization to remove from tenant accounting.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the City Council approved the Public Housing outstanding write-offs for the period of July 2008 through December 2008.

The Mayor and City Council reviewed the Stanly County Solid Waste Management Plan Update Adoption. Council will consider a resolution to approve the update to this plan.

Public Works Director Mike Lambert came before City Council with the Solid Waste Management Plan Update prepared by Stanly County. Included are the procedures and operations for the landfill and solid waste requirements for the City and all municipalities within the county. Mr. Lambert stated that an update is submitted every 3 years and 2009 is the 10-year update. The Public Works Department received this in February and has completed its review and recommends the approval of the resolution of the Stanly County Solid Waste Plan Update.

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

(Resolution 09-23 - To adopt the Stanly County Solid Waste Disposal Plan.)

The Mayor and City Council considered approval of Don Montgomery Park Storm Water Grant Agreement Amendments. This proposed amendment is for the alteration of intake facilities for the Don Montgomery Park Storm Water Project. A memo from Jon Mendenhall to Michael Ferris and accompanying documents were given to City Council. The scope of the stream restoration/flood control project at Don Montgomery Park has been changed slightly to address City Council concerns about the drainage ditch that crosses the park from US Hwy. 52. This has resulted in a reallocation of items within the project scope, but the total project amount remains the same.

Engineering Services Director Jon Mendenhall came before City Council and stated that the revised Grant Agreement and Budget summary is:

- 1) An Amendment – formal change of the grant budget.
- 2) Budget – formal change of the grant budget
- 3) Time extension – to allow for the design and construction of the intake improvement
- 4) O & M Plan – replacement of the conservation easement requirement
- 5) WQM – modification of the terms of water quality monitoring to streamline accounting procedure.

Upon a motion by Councilmember Townsend, seconded by Councilmember Neel and unanimously carried, the City Council approved the Don Montgomery Park Storm Water Grant Amendments.

Upon a motion by Councilmember Townsend, seconded by Councilmember Napier and unanimously carried, and Ordinance entitled (Ordinance 09-21) “AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF ALBEMARLE BE AMENDED BY REVISING CHAPTER 77, SCHEDULE XXI TO PROVIDE THAT TRAFFIC UPON CERTAIN STREETS SHALL STOP AND YIELD THE RIGHT OF WAY BEFORE ENTERING INTO AND UPON ITS INTERSECTION WITH

DESIGNATED STREETS IN THE CITY OF ALBEMARLE, NORTH CAROLINA”, passed first reading.

Upon a motion by Councilmember Townsend, seconded by Councilmember Underwood and unanimously carried, and Ordinance entitled (Ordinance 09-22) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF ALBEMARLE BE AMENDED BY REVISING CHAPTER 77, SCHEDULE XIV-A (NAMING OF STREETS) TO INCLUDE ADDITIONAL STREETS IN THE ANDERSON RIDGE SUBDIVISION IN THE CITY OF ALBEMARLE, NORTH CAROLINA, passed first reading.

The Mayor and City Council considered appropriating Fund Balance in the General Fund for the purchase of property and related costs for a future Public Safety Facility and to appropriate funds for Biomass/Sludge removal from Wastewater Treatment Facility.

The City Manager stated the reasons for this ordinance are to move funds from the W/S Administration to Sewer Plants for a service agreement with Synagro for the removal of accumulated sludge and biomass from four aeration basins and to appropriate Fund Balance in General Fund for the purchase of property and related expenses for a Public Safety facility.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, and Ordinance entitled (Ordinance 09-23) ” AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA, TO AMEND THE FY 2008-2009 BUDGET”, passed first reading.

Upon a motion by Councilmember Townsend, seconded by Councilmember Underwood and unanimously carried, and Ordinance entitled (Ordinance 09-24) “A 2009 GRANT ORDINANCE FOR A PUBLIC HOUSING CAPITAL FUND PROGRAM”, passed first reading.

The Mayor and City Council discussed dumpster service at large in apartment complexes. The City currently provides all solid waste collection at Monarch

with the exception of limb collection. The City has not provided this service to any apartment complex of 8 units or more for at least 15 or 20 years. This is being analyzed due to a complaint from Mr. Don Phelps, owner of Monarch Apartments.

The Assistant City Manager came before City Council and stated that this issue has been raised a couple of times in the past due. He stated that at one time the City provided roll-out service for these complexes. In the late 1980's or early 1990's, the City Council made the decision to require complexes with more than eight units to utilize dumpsters. The City also decided at that time to pay for the dumpsters for these complexes. All complexes that have been built since then have been required to arrange and pay for this service privately. This has caused a difference in the way apartment solid waste collection is handled. Mr. Ferris explained the cost of the dumpster, solid waste disposal and solid waste collection services the City is paying for the initial five apartment complexes. Mr. Ferris also reviewed the revenue for this service that would be eliminated if the City stopped paying for the dumpsters at these complexes and solid waste services were handled privately as the remainder of the complexes in the City.

Mr. Ferris stated that with there being little difference between what the City pays and what is collected in revenue, it would be a good time to end the service and not pay for the dumpster service for these 5 apartment complexes any longer.

The City Manager stated that Mr. Phelps with Monarch Apartments feels like all of this should be covered by our property taxes. Mr. Allen stated that large complexes are like a business, not covered like residents and Mr. Phelps does not agree.

Councilmember Neel asked how many complexes developed after the decision to service those 5 complexes. Mr. Ferris stated that he would guess at least 5 or more. The City Manager stated that there are more that have private service than do not.

Mayor Whitley asked Mr. Ferris if there would be any problems in removing the items in the billing department before July 1. Mr. Ferris stated that these items could be removed quick and efficiently.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council approved ending the dumpster service for the 5 apartment complexes and requiring them to handle privately like the remainder of the complexes in the City with an enforcement date of July 1.

The Mayor and City Council were updated on the EGov Citizen Request Management System. This was requested by Councilmember Neel to provide a reminder

to residents of this service. Assistant City Manager Michael Ferris, administrator of the system, came before City Council and gave a demonstration of the EGov system. He demonstrated how to access the system and how it provides an easy way for residents and businesses to make suggestions, request information, and/or request action. He explained how this is a great tool to keep track of requested events and their history. The database allows the user to query any event or action over any time period for quick access to the records.

The Mayor and City Council considered the authorization of the Brownfields Coalition Board to execute a contract for Phase I Environmental Assessment. Brownfield Coalition Board has received and reviewed proposals for Phase I environmental review services and is recommending Roy Consulting Group. The municipalities of Albemarle, Morven and Polkton received a Brownfields Grant and the City of Albemarle was selected as the lead agency. This means that all contractual arrangements are required to be approved by the Albemarle City Council. The Coalition Board, which is comprised of representatives of all three municipalities received proposals for the Phase I environmental reviews for the grant, and they have made a recommendation of the Roy Consulting Group. Bob Sasser and Michael Ferris represent the City on this board.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the City Council approved the authorization of the Brownfields Coalition Board to execute a contract for Phase I Environmental Assessment with Roy Consulting Group.

The Mayor and City Council considered a Publication of Notice of Intent to Exchange Property. Parks and Recreation is surplusng a 1977 Ford Tractor that is in poor condition, and has received an offer from a city employee who would like to trade two items which the department could use (Chop Saw and Mortar Mixer) in return for the tractor. Parks and Recreation Director Toby Thorpe checked with the School of Government about the requirements for such a transaction and a copy of the response from Eileen Touens from the SOG was given to City Council. Also, he said the Notice of Intent would need to be published at least 10 days prior to the Council meeting at which the City Council intends to consider such a transaction.

Mr. Thorpe came before City Council and requested that this resolution be adopted at the June 15 regular City Council meeting. He stated that this resolution states that Council has authorized the exchange. Upon questioning, the City Manager stated

that if someone has a better offer of exchange within the 10 day period, then the new offer would be considered at that time.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council approved the surplus of a 1977 Ford Tractor with a Notice of Intent to exchange property.

The Mayor and City Council considered the addition of one paid holiday during the Christmas season. The City of Albemarle currently has 10 holidays, the majority of municipalities provide 11 or 12 holidays. For many years the City has received requests from employees for three days at Christmas, which would assure employees of getting Christmas Eve, Christmas Day, and the day after Christmas as holidays.

Human Resources Director Robert Whitley stated that it seems like a good time to consider this benefit, particularly in light of not being able to provide any compensation increases this year.

Councilmember Holcomb asked the City Manager, what the cost would be for one extra holiday day for 300 employees. City Manager Raymond Allen stated that this just means 1 less day of work from the City employees, other than, some departments such as police, fire and water and sewer, where some employees need to be on the job or on call. Mr. Allen said that he would determine the direct costs to add this holiday and get back with City Council.

The City Councilmembers decided to hold this item over until Councilmembers Hall and Alexander could be present to vote.

The Mayor and City Council considered approval of the ribbon cutting for Phase 1 of the Snyder Greenway. Construction of Phase 1 of the Snyder Greenway was completed in late April. It is proposed that this ceremony take place at Don Montgomery Park at 4:30 p.m. on June 15, one hour prior to the regular Council meeting.

Upon a motion by Councilmember Neel seconded by Councilmember Underwood and unanimously carried, the City Council approved having the ribbon

cutting for Phase I of the Snyder Greenway on June 15 at 4:30 pm at Don Montgomery Park.

The Mayor and City Council considered attendance at ElectriCities Annual Meeting, in Raleigh on Thursday, August 27, 2009 at the Raleigh Convention Center. Due to economic conditions and reductions in travel budgets this meeting has been scaled down to one day. It begins at 8:30 a.m. and will end at 4:00 p.m. City Council can either leave that morning by 6:15 a.m., or can go up the evening before.

The City Council decided to discuss this item further and determine their departure time at a later Council meeting.

Councilmember Holcomb stated that there is a sight problem at the intersection of Ridge Street and Montgomery Avenue. She stated the bush at the southwest corner of that intersection had been trimmed but was still a sight problem.

Councilmember Townsend stated that he would like to thank all of the City Council members for the nice street dedication on Saturday, May 30 in renaming the former Center Street to the T.E. White, Sr. Drive.

Police Chief Ronnie Michael came before City Council about a grant program that is available. Mr. Michael stated that this is an interlocal agreement between the City of Albemarle and the County of Stanly. This agreement is the 2009 Local Solicitation Justice Assistance Grant (JAG) Program Award of \$16,000 with no match from the City. In this agreement, the City will provide the County with \$4,249 of the award for the Sheriff's Patrol Program. The County agrees to use the \$4,249 for the Sheriff's Patrol Program until August 1st, 2013.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council approved the 2009 Local Solicitation Justice Assistance Grant (JAG) Program Award of \$16,000 with no City match.

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