

REGULAR MEETING CITY COUNCIL  
March 17, 2008

The City Council of the City of Albemarle met in a regular session on Monday, March 17, 2008, at 7:00 p.m. in the City Hall Annex. 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, T. Ed Underwood and T. E. White. Absent, none.

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Mayor Whitley made the presentation of a memorial resolution adopted by the North Carolina League of Municipalities to the family of former City of Albemarle employee Caleb O. Boles, Department of Public Works.

Mayor Whitley made the presentation of a memorial resolution adopted by the North Carolina League of Municipalities to the family of former City of Albemarle employee Gary O. Smith, Department of Public Utilities.

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Mayor Whitley made the presentation of a retirement resolution adopted by the North Carolina League of Municipalities to retired City of Albemarle employee Patricia L. Furr, Department of Public Utilities.

Mayor Whitley made the presentation of a retirement resolution adopted by the North Carolina League of Municipalities to retired City of Albemarle employee Ollie M. Walker, Department of Public Works.

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Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the minutes of the March 3 regular session, March 3 closed session, March 5 adjourned session, March 6 adjourned session, and March 12 adjourned session were approved as submitted.

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Pastor Charles Thomas, Jr., Victory Deliverance Center, appeared before the Mayor and City Council to request the closing of Arey Avenue between East Main Street and Pee Dee Avenue. He requested closing on Monday, March 24 as well as every Friday and Saturday throughout the summer months. He said

they operate kids programs at the Genrex Center at the corner of East Main Street and Arey Avenue and the request is based on child safety.

Councilmember Holcomb asked if Pastor Thomas had contacted the neighbors to ascertain their feelings about the request. Pastor Thomas indicated he had not, but that there are no businesses in that block. Councilmember Neel said there are several businesses in the area and this is the way to get to several of the businesses. Councilmember White noted that Morrow Avenue also connects East Main Street and Pee Dee Avenue and it is only one block down and the request is for child safety.

Upon a motion by Councilmember Hall, seconded by Councilmember White and unanimously carried, the City Council voted to consider each request separately.

Upon a motion by Councilmember White, seconded by Councilmember Hall and unanimously carried, the City Council approved closing Arey Avenue on March 24 from 1:00 p.m. to 4:00 p.m.

Chief of Police Ronnie Michael was asked about the request to close the street throughout the summer. Chief Michael said he felt Pastor Thomas should speak to all the businesses in the area and also the residents on Morrow Avenue, as closing the street would put more traffic on Morrow. Council asked Pastor Thomas to make these contact and report back to the City when complete.

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Mr. William Brown, Grill on Wheels, Inc., appeared before the Mayor and the City Council as an announced delegate to request a City of Albemarle Peddler's License. Mr. Brown said he has been in the food service industry for several years and participates in local festivals and events.

Upon a motion by Councilmember Holcomb, seconded by Councilmember White and unanimously carried, the City Council approved the request of Mr. William Brown for a City of Albemarle Peddler's License.

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

(Ordinance 08-07, To adopt a Grant Budget Ordinance for a Firefighter Assistance Grant from FEMA.)

(Ordinance 08-09, To amend the FY 2007/2008 Budget to receive funds from a FEMA Firefighter Assistant Grant.)

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The City Manager provided an update on the status of the City Hall project. He said that the Public Utilities Administration and Customer Service as well as the Finance Collection function have relocated to the building at 500 North First Street. With the other Departments having previously moved out, the City Hall is now completely vacant. He commended the City's Departments and employees that have moved out of the building and the Departments that assisted with the move.

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The Mayor and City Council considered bids for the renovation and expansion of the City Hall project. Bid tabulation is as follows

(City Hall Project Bids)

CM Black was the low bidder on the project and the City Council had previously signed a letter of intent to award the bid to CM Black. Mr. Clinton Black, CM Black Construction, introduced himself to the Mayor and City Council. He said he is excited about the opportunity to work on this project. He said he enjoys working in Albemarle and has undertaken several other local projects.

Mr. Kelvin Benfield, Narmour, Wright, Creech, discussed the project. He feels the bids were very competitive. He said the contract to be executed is being developed and it will be a standard form. He said that he and the City Manager are recommending the base bid, plus alternates #1 and #2 be awarded for a total of \$7,363,923. Alternate #1 is for the addition of the cupola and alternate #2 is for the installation of new wood floors in the existing building. It is believed that when the environmental abatement work is complete, the existing wood floors will not be salvageable, but this will not be known for sure until after that abatement work.

Upon a motion by Councilmember Alexander, seconded by Councilmember Underwood and unanimously carried, the City Hall construction

bid was awarded to low bidder CM Black Construction in the amount of \$7,363,923.

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

(Resolutions 08-06, To approve the financing for the City Hall project with Bank of Stanly and BB&T.)

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Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the City Council approved a grant application to the North Carolina Department of Transportation for the construction of sidewalk in the vicinity of Albemarle Middle School and East Albemarle Elementary School.

Councilmember Hall commended Director of Engineering Services Jon Mendenhall and Public Works Director Michael Lambert for their work on the proposal and for maximizing the potential feet of sidewalk to be funded through the grant.

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

(Resolution 08-07, To approve the Department of Public Housing Agency Plan.)

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Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, the City Council approved the request of the Stanly County Board of Elections for the use of the EE Waddell Community Center and Fire Station #3 for the 2008 elections.

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The Mayor and City Council considered a meeting with the Stanly County Board of Elections. Council had requested a meeting to discuss making the precinct district boundaries coterminous with the voting district boundaries. Mayor Whitley noted that the Board of Elections communicated previously to the City that they would be willing to meet, however, State law prohibits them from changing the voting district boundaries. He asked if based on this, if there was still a need to meet with the Board of Elections. Councilmember Neel felt a meeting was still necessary because it is his intention to pursue local legislation through the North Carolina General Assembly to allow the boundaries to be changed and the City should advise the Board of Elections of this. Councilmember Alexander suggested writing a letter to the Board of Elections informing them of the City's intention. Mayor Whitley asked City Attorney Beaver if he could develop proposed wording to submit to the General Assembly and suggested the City provide the proposed changes to the Board of Elections for their review and comment.

It was the consensus of the City Council to have City Attorney David Beaver prepare sample wording to make the City precinct boundaries coterminous with the voting districts.

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Upon a motion by Councilmember Holcomb, seconded by Councilmember White and unanimously carried, the City Council set a public hearing for April 7 to consider altering the Subdivision Ordinance to provide for an exemption from the curb and gutter requirements for industrial development on existing streets.

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Upon a motion by Councilmember Neel, seconded by Councilmember White and unanimously carried, an Ordinance entitled (Ordinance 08-10) "AN ORDINANCE TO AMEND FY 2007-2008 BUDGET" passed first reading.

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Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, an Ordinance entitled (Ordinance 08-11) "AN ORDINANCE OF THE CITY OF ALBEMARLE, NORTH CAROLINA PROVIDING THAT ITS CODE OF ORDINANCES BE

AMENDED BY REVISING CHAPTER 77, SCHEDULE XXIX TO ESTABLISH A COMMERCIAL FREIGHT LOADING ZONE ON THE WEST SIDE OF SOUTH FIRST STREET IN THE FIRST PARKING SPACE NORTH OF THE INTERSECTION OF SOUTH FIRST STREET AND SOUTH STREET, ALL IN THE CITY OF ALBEMARLE, NORTH CAROLINA” passed first reading.

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The Mayor and the City Council considered a request from the Pfeiffer-North Stanly Water Association for the Association to serve a new industrial customer. The City Manager explained this item was before Council for their consideration because the agreement requires Council approval of such customers on the PNSWA system and he noted it would not change their daily maximum allocation.

The City Manager also said that the City Council gave its approval several years ago to increase the allocation to 650,000 gallons per day, but the agreement was never signed by PNSWA. He has advised the PNSWA that if they would like to formalize the 650,000 gallon per day amount, they would need to make this request of Council since it had been several years since it was last discussed.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, the City Council approved the request of the Pfeiffer-North Stanly Water Association for the Association to serve a new industrial customer.

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The City Manager advised the Mayor and City Council that reports on the recent Centralina Council of Governments Elected Officials Planning and Training Session held in the City Hall Annex on Tuesday, March 4 are provided in their agenda packages.

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Councilmember Hall provided an update on the recent National League of Cities Congressional Cities Conference in Washington, DC. She said that she brought back information of interest to various City Departments that she would share with the appropriate Department Heads. She noted that she was able to speak to both Senator Dole and Congressman Hayes.

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The Mayor and City Council reviewed information from the Town of Badin regarding the “Cart for a Cure” Fundraising event. All proceeds will go to support cystic fibrosis, which recently claimed the life of former Badin Town Administrator Caryn Lawson.

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Anyone interested in attending the “The Future of Water Resources in North Carolina” conference in Research Triangle Park on May 22, 2008 was asked to let staff know as soon as possible.

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The Mayor and City Council were reminded of the March 18 meeting in the City Hall Annex to discuss the proposed update to the County – wide Parks and Recreation Master Plan.

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The Mayor and City Council were reminded about the next computer training session on March 20, 5:30 p.m. in the City Hall Annex.

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Councilmember Hall said she attended the grand opening celebration for the Central Elementary School this past Saturday and distributed an event program.

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Councilmember Neel said there is a problem with vehicles parking between the bike path and the curb at Montgomery Park. This creates a sight distance problem for motorist trying to leave the park and thought the City should adopted an Ordinance to prohibit parking in this area.

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Mayor Whitley read a letter received from Mr. Roy Holbrook, Jr. commending the City for its work to remove a downed tree from Franklin Street and restore electrical service in a timely manner during a recent wind storm.

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Councilmember Neel thanked the various City Departments that have moved out of the City Hall in recent months.

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There being no further business, the meeting was adjourned.