

REGULAR MEETING CITY COUNCIL
October 20, 2008

The City Council of the City of Albemarle met in a regular session on Monday, October 20, 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.

The City Manager presented a North Carolina League of Municipalities Green Challenge award to the Mayor and City Council. He said it was presented at the Annual Meeting recognizing Albemarle as one of 75 cities in North Carolina committing to take steps to reduce energy consumption and other activities impacting the environment.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the minutes of the October 6 regular session were approved as submitted.

Mr. James Luster, Centralina Council of Governments, appeared as an announced delegate to provide an update on the Alfred Street Revitalization project. He indicated that appraisals will be complete next week and offers will soon be made to property owners with property needed by the City in conjunction with the project. Bids for the work to renovate three homes are scheduled to be submitted this week.

Councilmember Hall noted the house at the corner of Englewood Avenue and South Second Street has been demolished by the City.

Mayor Whitley said the building at the corner of North First Street and Ludlow Street owned by Mr. Roger Hudson is an eyesore and he is getting complaints about its appearance from the public. Mr. Luster said she has spoken with the property owner and has even met him onsite to discuss securing the building. Mr. Luster said the property owner has promised to make improvements. He said he will get back in touch with Mr. Hudson about these concerns.

Mr. Don Frey, Chairman of the Albemarle ABC Board, and Mr. Durham Lewis, CPA, appeared before the Mayor and the City Council to present the 2007/2008 ABC System Audit. Mr. Lewis reviewed a portion of the audit opinion letter which notes the finances of the System are in accordance with generally accepted accounting principles and he is able to render an unqualified opinion, which is the highest possible audit opinion.

Mr. Frey reviewed ABC system matters with the Mayor and City Council. He noted the debt on the facility is down \$457,000. The original debt issuance for the facility was over \$1,000,000. He noted that \$10,000 after profit distribution has recently been made to the City. He also said the Board recently met with the County Manager concerning the statutory distribution to the County for alcohol rehabilitation and education. He said they discovered the County was not aware of the requirement to make an annual report on the expenditures to the Board. Funds for this purpose are now being provided to Partners in Health. Mr. Frey introduced Albemarle Police Detective III Junior Ridenhour to discuss how the funds are being used. Detective Ridenhour said programs are being developed to educate high school students of the dangers of underage drinking. These programs are focused on prom season.

Councilmember White and the City Council thanked Mr. Frey and the ABC Board and staff for their operation of the ABC System and for the profit distribution made to the City.

Ms. Brooke Laton, Event Chairman, Albemarle Downtown Development Corporation, Fall Festival and Ghost Walk, appeared before the Mayor and City Council to request the use of the City Hall Annex restroom for this event on Thursday, October 30. Ms. Laton indicated they will provide a restroom monitor.

Upon a motion by Councilmember Holcomb, seconded by Councilmember White and unanimously carried, the City Council approved the use of the City Hall Annex restroom for this event on Thursday, October 30 for the Fall Festival and Ghost Walk.

Ms. Mitzi Hartsell, Stanly County One on One Program, appeared as an announced delegate to provide an update on the SCOOP activities. She noted the program is designed to provide mentors to at risk youth. The program is in need of additional mentors and asked anyone interested in this to contact her.

The City Council continued their discussion of a request from Mr. Robert Allen for a no parking zone along the Gibson Street side of his property. Staff has reviewed the area and has no problem with a no parking zone being designated as requested.

Councilmember White said he did not believe a no parking zone was needed because it was his understanding parking was not allowed in this location anyway. Chief of Police Ronnie Michael said the street is wide enough to allow parking and there is currently no prohibition on parking on Mr. Allen's side of the street.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council authorized the City Attorney to draft an Ordinance to prohibit parking on a portion of Gibson Street.

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

(Ordinance 08-37, To amend the FY 2008/2009 Budget to appropriate funds for the Adopt a Trail Grant program.)

The City Manager provided an update on the City Hall construction and renovation project. He said the structural steel is being erected, though it will be completed behind schedule due to problems with delivery. He also said the curb and gutter adjoining the church property was poured earlier in the day. He concluded by noting that six of the original copper downspouts were recently stolen off the building. The Police have suspects but have not been able to prove

they stole the City's gutters. Even if the gutters are recovered it is believed that they will be in a condition such that they can no longer be used.

Upon a motion by Councilmember White, seconded by Councilmember Hall and unanimously carried, the City Council adopted an Identity Theft Detection and Prevention Program.

The Mayor and City Council considered a request by the Public Works Street Division to purchase a bucket truck from the Public Utilities Electric Division. The item is before Council as the bucket truck was previously approved by Council as a trade-in in conjunction with Bid 08-04.

Upon a motion by Councilmember White, seconded by Councilmember Underwood and unanimously carried, the City Council approved the purchase of a bucket truck from the Public Utilities Electric Division by the Public Works Street Division and the following vehicle was declared surplus:

#26	1987	CHEVY 1-TON BOOM	1GBHR34KXHS1	77344S
6		TRK	59022	

Upon a motion by Councilmember Underwood, seconded by Councilmember Hall and unanimously carried, the City Council approved a City Law Enforcement Firing Range Policy.

The City Council considered a request from Dr. Carl Bowen for the City to install lighting for the Optimist Christmas Tree Sales lot. Mayor Whitley said the Optimist would purchase the fixtures and was requesting the City replace four lights.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Hall and unanimously carried, the City Council approved the installation of lighting at the Optimist Christmas Tree Sales lot.

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

(Resolution 08-38, To request that a portion of the former Niven Army Reserve Center be transferred to the City under the federal lands to parks program.)

Upon a motion by Councilmember White, seconded by Councilmember Hall and unanimously carried, an Ordinance entitled (Ordinance 08-38) “AN ORDINANCE TO AMEND FY 2008-2009 BUDGET” passed first reading.

The Judgment and Assessment Roll for sewer line installation on a portion of the Northeast Connector was presented to Council. The line extends from the intersection with NC Highway 740 approximately 421-feet northwestwardly along the Northeast Connector.

Upon a motion by Councilmember Hall, seconded by Councilmember White and unanimously carried, a public hearing was set for November 17 and the following Judgment and Assessment Roll was duly adopted:

(Judgment Assessment Roll – Sewer Line on Northeast Connector)

The Judgment and Assessment Roll for water line installation on a portion of the Northeast Connector was presented to Council. The line extends from the intersection with NC Highway 740 to the intersection of Badin Road on the Northeast Connector.

Upon a motion by Councilmember Alexander, seconded by Councilmember Hall and unanimously carried, a public hearing was set for November 17 and the following Judgment and Assessment Roll was duly adopted:

(Judgment Assessment Roll – Water Line on Northeast Connector)

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the City Council appointed Mr. Eddie Baldwin, 307 South Bell Avenue, to the Bicycle Plan Steering Committee.

The Mayor and the City Council considered appointments to the Parks and Recreation Advisory Board. Councilmember White said he would like to see more representation of women and minorities on the Board. Director of Parks and Recreation Toby Thorpe said the list is not a proposed Board, but applicants who responded to the City's request for volunteers to serve on the Board and is a list for Council to select from.

The City Council held over appointments to the Parks and Recreation Advisory Board so they could contact additional individuals about the possibility of service on the Board.

Upon a motion by Councilmember Underwood, seconded by Councilmember White and unanimously carried, the City Council approved a request of Piedmont Natural Gas Corporation for a gas main extension on the Northeast Connector and US Highway 52.

Anyone interested in attending the North Carolina League of Municipalities meeting on annexation authority was asked to let staff know as soon as possible.

Councilmember Hall provided a brief update on the recent 2008 North Carolina League of Municipalities Annual Meeting she attended along with Councilmember Neel and City Manager Raymond Allen. She congratulated the City Manager for being elected to serve on the NCLM Board of Directors. She also said several resolutions were adopted honoring retired and deceased former

City employees. She and Councilmember Neel said the keynote speakers were very good.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council approved Thursday, December 18 as the date for the City Employee Christmas Luncheon.

The Mayor and City Council were reminded the City of Albemarle will be hosting the next Stanly County Council of Governments Meeting at Market Station on Tuesday, October 28. They all confirmed their attendance at the meeting.

Upon a motion by Councilmember Hall, seconded by Councilmember White and unanimously carried, the City Council adjourned to a closed session pursuant to NCGS 143-318(a) 3 and 5 to consult with the City Attorney and to discuss real estate negotiations.

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council reconvened to open session. Mayor Whitley announced that a closed session was held pursuant to NCGS 143-318(a) 3 and 5 to consult with the City Attorney and to discuss real estate negotiations and there was nothing to disclose at this time.

The City Manager distributed a sympathy card to Norwood Mayor Larry McMahon on the recent passing of his wife for the signature of the Mayor and City Council.

Councilmember Hall said that since we know Christmas Day will be on Friday in 2009, the City Council ought to go ahead and establish Thursday the 24th and Friday the 25th as the City holidays. No action was taken on this matter.

Councilmember Neel said he recently read about a City that was prohibiting the sale of bottled water in City buildings where a drinking fountain was available. The intent of this is to keep people from purchasing and using bottled water and to be more earth friendly.

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