

REGULAR MEETING CITY COUNCIL
August 18, 2008

The City Council of the City of Albemarle met in a regular session on Monday, August 18, 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.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the minutes of the August 4, 2008 regular session were approved as submitted.

Dr. Chris Bramlett Chairman of the Albemarle Downtown Development Corporation (ADDC) appeared before the Mayor and Council as an announced delegation to present the results of the downtown employment census recently conducted by the ADDC in conjunction with the update to the master plan that was funded by the City in the FY 2008-2009 budget.

Dr. Bramlett stated that he was pleased to present the employee survey which determined the number of people working within the municipal service district. He also said that in recruiting new business for the downtown this survey would be a great asset of information and also for the City Council. The team collected the name, address, contact person, number of employees and principal activity of each business.

Dr. Bramlett and his team visited each entity within the municipal service district which did not include the hospital or industrial districts. The total number of employees from the survey was 1,966 of which 1,362 are full time and 604 are part-time involving 214 different establishments. He thanked the members that helped in conducting the study including Ron Crawley, Gene Starnes, Barbara Bowers, and Pat Bramlett.

Martha Sue Hall asked if the study was inclusive of Monarch in Lillian Mills and Dr. Bramlett said that it was and included 50 employees. Mayor Whitley thanked Dr. Bramlett and the committee on a good job.

Councilmember Neel asked about all ideas and statements from the individual employees and Councilmember Hall asked about an update on counting parking spaces.

Dr. Bramlett stated that the firm in Atlanta made contacts with people and counted the parking spaces and the number of parked cars. He also stated that they will be coming back on a day court is in session to count and observe the parking spaces and parked cars. Councilmember Hall said that she was glad that local people were being used.

Ms. Karmen Mock with the Stanly County Christmas Parade Committee appeared before the Mayor and Council as an announced delegation to request the closing of streets on Monday, December 8, 2008 for the annual Christmas Parade.

Upon a motion by Councilmember Hall, seconded by Councilmember Napier and unanimously carried, the Council voted to permit the closing of streets on Monday, December, 2008 for the annual Christmas Parade.

The Mayor and City Council were provided with copies of the July Monthly Departmental Reports.

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

(Ordinance 08-28, To establish a 3 way stop intersection at Pee Dee Avenue and North Ninth Street.)

(Ordinance 08-30, To establish a Parks and Recreation Advisory Board .)

Councilmember Neel asked why Ordinance 08-29 was not being considered in the consent agenda. The City Manager stated that Ordinance 08-29 was not unanimously approved at its 1st reading on August 4 and had to be unanimously approved to be a part of the consent agenda.

The Mayor and City Council discussed the appointments for the Historic Resources Commission which expired in July and that Daniel McAulay is moving to Boone and can no longer be re-appointed to the HRC board. This item was laid over from the August 4 City Council meeting.

Councilmember Hall stated that she would like to look at the attendance records for the existing members and asked would it be okay to hold the decisions over until the next City Council meeting on September 2.

Councilmember White asked how many meetings this committee had held last year. Councilmember Holcomb stated that she did not see a need to hold this over until the next Council meeting.

The City Manager said that the full committee held three meetings including the City Hall project and that Planning and Community Development Director Bob Sasser could give a more accurate account of the meetings and attendance.

Planning and Community Development Director Bob Sasser said that there was a quorum at each meeting which consists of at least 50% attendance plus one.

Upon a motion by Councilmember White, seconded by Councilmember Holcomb and unanimously carried, the Council appointed Jeff Chance to replace Daniel McAulay and reappointed all of the remaining members of the Historic Resources Commission for a one year term.

The Mayor and City Council considered designating an elected official to take part in the discussions of the Regional Water and Sewer meetings which were recently held in Union County. They had indicated the need for a designated elected official from each participating jurisdiction to take place in these discussions. This discussion continues from the August 4 Council meeting.

Upon a motion by Councilmember White, seconded by Councilmember Underwood and unanimously carried, the Council voted to designate Councilmember Neel as the elected official to represent the City in the regional water and sewer discussions.

Upon a motion by Councilmember White, and seconded by Councilmember Holcomb the following Ordinance passed second reading and was duly adopted. Voting in favor of the motion, which carried, was Councilmembers Underwood, Holcomb, Alexander, Hall, Napier, and White. Voting against the motion was Councilmember Neel.

(Ordinance 08-29, To establish a 4 way stop intersection at Pee Dee Avenue and North Sixth Street.)

Councilmember stated that he was against the ordinance due to this not being the proper place for a 4-way stop.

The City Manager provided an update on the City Hall project and stated that the pouring of the concrete pad was complete for the 1st floor of the new City Hall building.

The City Manager stated that he had called Frances Hinson after learning that she had contacted Councilmember Holcomb about having the original grill work that was over the teller windows and was removed in the 1960's when the last renovation was done to the old City Hall. Ms. Hinson previously worked for the City in the Finance Department. Ms. Hinson is going to donate this to the City to see if it can be incorporated into the new City Hall in some manner.

Councilmember Neel said that he came to work for the City in 1967 and the renovation occurred prior to that time period. Councilmember Holcomb also stated that Moe Lowder helped Frances Hinson acquire those items from the old City Hall building.

The Mayor and City Council considered the pieces of equipment and the vehicles that needed to be declared surplus.

Police Chief Ronnie Michael stated that this equipment would be sold through some type of auction as they have sold equipment in the past and requested that he be authorized to determine the best method of selling the vehicles.

Upon a motion by Councilmember Hall, seconded by Councilmember Underwood and unanimously carried, the Council declared surplus the pieces of equipment and vehicles.

The Mayor and City Council considered the new Flood Insurance Rate Maps and Flood Ordinance. The Planning Board recommended approval of the maps and ordinance and suggested setting Tuesday, September 2 as the date for the public hearing. City Council would then hold a called meeting on Wednesday, September 3 for the second reading in order that our flood insurance program not be suspended.

Upon a motion by Councilmember Hall, and seconded by Councilmember Underwood the City Council decided to set public hearing for Tuesday, September 2 and to set a called meeting on Wednesday, September 3 at 6 pm to approve the new Flood Insurance Rate Maps and Flood Ordinance. Voting in favor of the motion which carried, were Councilmembers Underwood, Alexander, Hall, Napier, Neel, and White. Voting in opposition was Councilmember Holcomb.

Councilmember Underwood stated that this is something that Council can not say no to. The City Manager said that the City can say no to this ordinance but that it would mean Albemarle residents would not be able to purchase flood insurance through this program. Councilmember Neel stated that it would hurt the citizens of Albemarle as well as the City if not approved. Mr. Neel remembered back to the 1997 flood in Albemarle and the \$500,000 received from FEMA for damages.

Councilmember Holcomb stated that if a homeowner is selling their property they would have to prove the property is not in a flood zone. Councilmember White said that the situation of the 1997 flood in Albemarle is not likely to happen but that this can happen. Councilmember Holcomb said that the cost of flood insurance is not costly.

Mayor Whitley stated that the City owes this to the citizens of Albemarle.

The Mayor and City Council discussed alternate dates for a joint meeting with the Handy Sanitary District. The City Council originally approved the date of August 19 for this meeting, however, several of the Handy Sanitary District members would be unavailable on that date. The Handy Sanitary District suggested Tuesday, August 26 or Thursday, August 28.

Upon a motion by Councilmember Hall, and seconded by Councilmember Underwood and unanimously carried, the City Council decided to change the meeting date with Handy Sanitary District to Tuesday, August 26, 2008 at 7 pm at the Tuckertown Water Treatment Plant location.

Councilmember Underwood asked if it would be possible for everyone to carpool. The City Manager said that a City van could be used as transportation for all attending.

The Mayor and City Council discussed the City receiving a quarterly law enforcement and after profit distribution from the Albemarle ABC System. The City always receives a quarterly law enforcement distribution, but does not always receive an after profit distribution.

Councilmember Holcomb wanted to thank the Albemarle Alcohol Beverage Control (ABC) for the after profit distribution to the City of \$ 10,000. Councilmember White stated that he wished that the Albemarle ABC Board would have kept this money and placed it on the principle of their loan.

The Mayor and City Council reviewed the thank you letters to be sent to the Parks and Recreation Trust Fund and to Lindsey Dunevant, who is this area's regional consultant regarding the PARTF Grant of \$ 500,000 that the City recently received for improvements at the EE Waddell Community Center.

Upon a motion by Councilmember Hall, seconded by Councilmember White and unanimously carried, the Council approved and signed the thank-you letters to send to the Parks and Recreation Trust Fund members.

Councilmember Napier had a complaint regarding Waste Management. She had limbs for pickup and after not being picked up she contacted Waste Management and they were to call her back. She did not receive any return phone call but she said that the limbs had been picked up earlier today. Ms. Napier also said that Waste Management is leaving the trash containers in the middle of the driveway after they have been emptied.

Councilmember Holcomb stated that she had seen a For Sale sign at the proposed teahouse on Second Street. Councilmember Hall also mentioned another location across from J.D. Shuckers and near J Talbert owned by the same individual.

Ms. Hall upon questioning said that the Cruise In was great and based on the incident last month at the Cruise In, this time there was no activity on the streets just in the window of this business establishment. Ms. Hall also thanked the Mayor for driving and attending the COG meeting with her in Charlotte.

Councilmember Neel asked about the section in the Engineering Services Department monthly report regarding right of way for street lighting.

The City Manager explained that this was to replace the existing street light circuit with a circuit with Ground Fault Circuit Interruption (GFCI). He stated that one of these easements was still being considered, but that David Scarboro had decided not to grant an easement since he may be selling this property.

Councilmember Neel stated that the Council may want to consider rescinding the previous action to grant an easement to the Scarboro property if the property is sold because the new owner may not follow the agreement

The City Manager stated that Engineering Director Jon Mendenhall and the Superintendent of the Electric Division Charles Burris researched and there is no existing right of way. Councilmember Neel said that this should only be granted to the present owner of the Scarboro property. City Attorney David Beaver stated that he did not believe that Mr. Scarboro ever followed through on this offer of easement, but that he would look into this matter. The City Manager told Council that this would be investigated and a report given at the next Council meeting.

Councilmember White had several requests about problems with drainage ditches on Armfield Avenue, Arey Avenue and Lundix and Colson Streets that he wanted to report to staff.

Councilmember Hall mentioned that Harmancos has sold their business. City Attorney David Beaver stated that they have sold the business but not the building.

Councilmember Holcomb stated that Albemarle is getting two new Waffle Houses, one near the US 52 and Northeast Connector intersection and the other one at the NC Hwy 740 and Northeast Connector intersection.

The City Manager stated that the meeting needed to adjourn to the Draft Land Use Plan meeting on August 25 at 7 pm at the City Hall Annex.

Upon a motion by Councilmember Hall, seconded by Councilmember White and unanimously carried, the City Council adjourned to Wednesday, August 25 at 7:00 p.m. at the City Hall Annex for a meeting with the Planning and Zoning Board and the Board of Adjustment Steering Committee to review the draft Land Use Plan.