

REGULAR MEETING CITY COUNCIL  
July 21, 2008

The City Council of the City of Albemarle met in a regular session on Monday, July 21, 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 a special presentation of a Retirement Certificate to Trina F. Webster for 5.92 years of service in the Public Housing Department.

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Upon a motion by Councilmember Holcomb, seconded by Councilmember Underwood and unanimously carried, the minutes of the July 7 regular session, July 7 closed session, and the July 16 adjourned session were approved as submitted.

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

Mr. Neel asked about the financial report and how soon the final numbers would be in. Finance Director Colleen Conroy said that this would not be until the final billing cycle. Councilmember Neel asked if there were any issues with the year end budget finals. Ms. Conroy stated that the June power billing statement was around \$800,000 over the prior month so that it appeared the Electric Fund would exceed the budget appropriation.

Mr. Neel asked Planning and Community Development Director Bob Sasser what the acronym ACAC stands for. Mr. Sasser said that the acronym stands for Albemarle Community Appearance Commission. Mr. Neel stated that acronyms should have the entire phrase spelled out at least once in a document so people will know what this stands for.

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

(Ordinance 08-27. To amend the Zoning Ordinance to allow  
Emergency Housing as a Conditional Use in a General  
Highway Business District/GHBD.)

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The Mayor and City Council discussed the request from Pee Dee  
Avenue residents for measures to slow traffic which was continued from the July  
7, 2008 Council meeting.

Ms. Heather Higgins of 515 Pee Dee Avenue came before Council to  
speak and requested the speed limit be lowered from 35 mph to 25 mph and also a  
stop sign be placed at Pee Dee Avenue and Sixth Street and also at Pee Dee  
Avenue and Ninth Street. She stated that 75% of residents living on Pee Dee  
Avenue had signed the petition given to Council. Her main concern is the safety  
of the children living on Pee Dee Avenue. Ms. Higgins stated that the most  
dangerous area of Pee Dee Avenue is from the cemetery down hill to Five Points  
where Pee Dee Avenue runs into Main Street. With no stop signs or speed  
reduction from the stoplight at E. Main Street to Five Points there are major  
problems.

Upon further discussion, Councilmember White said that in 2008  
there has been an extreme amount of traffic on Pee Dee Avenue and the street is  
used as a thoroughfare but should be considered a residential street.

Councilmember Hall talked about the memo from Councilmember  
Neel which was in the agenda packet for Council review and her support for his  
suggestions. Ms. Hall asked if there had been any response from NCDOT's traffic  
engineer about placing a stoplight at Pee Dee Avenue and East Main Street. The  
City Manager said staff had not heard anything yet from NCDOT.

Councilmember White added that even if there were a stoplight at Pee Dee Avenue and East Main Street, there is nothing to slow down vehicles all the way down the street to Five Points. Mr. White said that the only thing to slow down traffic would be to place stop signs on Pee Dee Avenue.

Councilmember Alexander stated that he did not think stop signs would cause a reduction in speed by drivers.

Councilmember Holcomb and Napier stated lowering the speed limit on Pee Dee Avenue would not slow down drivers. Ms. Holcomb stated that Council should wait to hear from NCDOT before making any decisions.

Upon a motion by Councilmember White, seconded by Councilmember Alexander, the City Council decided to place a 3-way stop sign at Ninth Street and Pee Dee Avenue and a 4-way stop sign at Sixth Street and Pee Dee Avenue. Voting in favor of the motion, which carried, were Councilmembers Underwood, Holcomb, Alexander, Hall, Napier, and White. Voting against the motion was Councilmember Neel.

The Mayor commented to the Pee Dee Avenue residents present that an Ordinance would have to pass two readings at Council meetings on August 4 and August 18 before the stop signs could be placed on Pee Dee Avenue.

Father James Bernacki of Christ Episcopal Church presented a petition from some parishioners requesting a reduction in speed limit and/or stop signs on Pee Dee Avenue.

(Christ Episcopal Church Petition List)

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The Mayor and City Council considered street resurfacing recommendations for FY 2008-2009 continued from the July 7, 2008 meeting.

Public Works Director Mike Lambert came before Council with a revised list of streets as requested by Council that are most in need of resurfacing.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried the street resurfacing recommendations were approved as presented.

Councilmember White mentioned Melchor Road, which was not on the list, was in more need of repair than Avondale Avenue. Mr. Neel stated that he was appalled that McCurdy Street was not on any of the lists of proposed streets to be resurfaced going back to 2001.

(2008-09 Street Resurfacing List)

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The City Manager provided an update on the City Hall project. Mr. Allen stated that the plumbing had passed inspection and that everything was being readied to pour the first floor.

Upon a request of Councilmember Hall, the City Manager stated that the total on the change orders to date would be provided at the next City Council meeting.

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The Mayor and City Council considered the request of Barry Cooper for an extension of time to repair his home located at 503 South Second Street. The Mayor explained the history of this case and the enforcement actions and that Planning and Community Development Director Bob Sasser was waiting to take action based on Council's decision. Councilmember Underwood stated that Mr. Cooper had talked with him and asked that the City wait on this until he retires in four years. The Mayor explained that no action was needed by Council unless they decide to extend the time to allow Mr. Cooper to repair his home. Councilmember White stated that tearing the structure down may be the best solution for health and safety reasons due to its hazardous state.

Upon a motion by Councilmember Underwood, seconded by Councilmember Neel and unanimously carried, to go ahead and proceed with the next step of condemnation and deny the request of more time by the owner, Mr. Barry Cooper.

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The City Council considered a request of Ms. Phyllis Wood of 1230 Lennox Street for Children At Play signs between Arey Avenue and Leonard Avenue. The Mayor explained Ms. Wood's request and that she was not present tonight. It was noted that the residents are responsible for paying the cost of the signs. Councilmember White stated that the Children At Play signs have no enforcement. Councilmember Alexander commented that this would make people be on the look out for children by using these signs.

A motion was made by Councilmember Holcomb, and seconded by Councilmember Hall to grant the Children At Play signs. Voting in favor of the motion, which carried, were Councilmembers Holcomb, Hall, Alexander, Napier, Underwood, and White. Voting in opposition was Councilmember Neel.

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The Mayor and City Council considered a draft letter of appreciation to Stanly County for a \$12,000 Fire Grant.

Upon a motion by Councilmember Hall, seconded by Councilmember Holcomb and unanimously carried, the draft letter was accepted as presented.

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The Mayor and City Council discussed the establishment of a Parks and Recreation Advisory Board

Upon a motion by Councilmember Holcomb, seconded by Councilmember Napier and unanimously carried, the City Council approved the establishment of a Parks and Recreation Advisory Board.

Upon further discussion Councilmember White mentioned a board of this sort in the past when Buddy Holt was Mayor of Albemarle. The City Manager explained to Councilmember White that Mayor Holt had an advisory board that he appointed himself, but this board was not established by ordinance.

Parks and Recreation Director Toby Thorpe stated that the board could be handled the way Council determines.

Councilmember Hall suggested that the utility bill stuffer be used to notify citizens about this new board. Upon questioning, Mr. Thorpe stated that the media as well as a newsletter, posters or the City's bill stuffer would be used to let the public know about being able to volunteer for this board and to contact the City Manager or himself.

Councilmember White asked about the possibility of two High School students being on the board to speak on their own behalf. Mr. Thorpe stated that he would talk with the High School principal and ask that he recommend some students.

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The Mayor and City Council considered participation in the NC League of Municipalities Green Challenge. The purpose of the Green Challenge is to encourage member cities and towns to implement short-term and long-range actions that will conserve resources and save money, thereby protecting the environment.

Upon a motion by Councilmember Hall, seconded by Councilmember White and unanimously carried, the resolution was adopted.

(Resolution 08-27)

Upon questioning, the City Manager said that some of the City projects that have been completed or that are currently in process could possibly fit under one of the five categories as some of the options required on the first level of the program.

Councilmember Alexander asked if the City was still under any type of water conservation. The Mayor responded that it continues to be voluntary at this time.

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The Mayor and City Council discussed the Time Warner Cable encroachment request to serve the City Hall and the Stanly County Library once construction is completed on the City Hall expansion and renovation project.

Councilmember Neel asked about the desire of Central United Methodist Church wanting cable so as to have broadband connection for their computers. The City Manager stated that in previous negotiations with Central United Methodist Church that everything had been dropped once no agreement could be made.

Mayor Whitley said that maybe Jon Mendenhall Engineering Director for the City could contact CUMC and see if we can be of any assistance to them in this opportunity. The City Council stated its willingness to grant an easement to CMC so that they can be served by Time Warner Cable.

Upon a motion by Councilmember Hall, seconded by Councilmember and unanimously carried the City Council voted to allow the encroachment request by Time Warner Cable.

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The Mayor and City Council considered NC Rural Center Grant Authorization Resolutions and Intent to Apply Forms for Wastewater Treatment Plant Improvements and Expansion and Water System Mapping and Modeling.

Upon a motion by Councilmember White, seconded by Councilmember Neel and unanimously carried, the following resolutions were approved:

(Resolution 08-28 for Planning Program)

(Resolution 08-29 for Supplementary Program)

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The Mayor and City Council considered the adoption of a Rate Rider for NC Renewable Energy Standards Charge.

The City Manager said this resulted from legislation passed by the General Assembly which wanted North Carolina to have a larger amount of Green power in their portfolio. He also stated that Electricities will be coordinating this for all 19 cities in NCMAPA#1 which will allow it to be more cost effective for all. The City Manager also went over the cost to the City to accept this rate rider which is very minimal which involves pennies per resident per month and slightly higher

rates for commercial and industrial customers of the City. These monies paid by the City will allow ElectriCites to obtain this green power.

Upon a motion by Councilmember Hall, seconded by Councilmember White, and unanimously carried, the following resolution was approved:

Resolution 08-30 NC Renewal Energy Standards Rate Rider)

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The Mayor and City Council reviewed information on the Red Cross Blood Drive at Fire Station 1/East Area Community Police on July 31, 2008. The Mayor stated that this blood drive was open to the City employees as well as the public.

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The Mayor and City Council considered attendance at the Stanly County Council of Governments Meeting on July 29, 2008. The City Manager said that he can RSVP for anyone interested in attending. All Councilmembers stated that they will be attending the meeting.

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The Mayor and City Council discussed attending the NC League of Municipalities Annual Meeting in October. The Mayor asked that Council let the City Manager know if they will be able to attend and that the deadline is September 9 to register. Councilmember Neel stated that he planned to attend, and Councilmember Hall indicated she planned to attend at least part of the conference.

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The Mayor and City Council discussed plans for the groundbreaking of Phase I of the Roger F. Snyder Greenway. The Mayor said that Monday, August 18 before the regular City Council meeting had been suggested. The City Manager stated that the groundbreaking would be held at Don Montgomery Park and the Snyder Family would receive an invitation to this ceremony. The Mayor asked if Engineering Director Jon Mendenhall could create a drawing where Phase I and the other phases are to be. Councilmember Hall asked about the list of people that have donated to this Greenway project in memory of Roger F. Snyder. Ms. Hall also asked that each one be sent an invitation to this groundbreaking. The City Manager stated that these would be added as requested.

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The Mayor and City Council considered dates for the joint meeting with the Planning Board for the presentation of the Draft Land Use Plan by the Land Use Planning Committee.

The Councilmembers selected Monday, August 25 at 7 pm for this joint meeting with the Planning Board in the Council Chambers.

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The City Manager stated that he had received a letter from Ms. Kelly Biggers from the YMCA on Friday to request the closing of Glenn Street between North Second Street and North Depot Street for an 8K Race on August 2, 2008 from 6:30 am until 12 pm. The information was received too late for inclusion in the agenda package.

Upon a motion by Councilmember Hall, seconded by Councilmember Napier and unanimously carried, the motion to allow the closing of Glenn Street between North Second Street and North Depot Street was approved.

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Councilmember Holcomb mentioned to everyone that Public Works Director Mike Lambert's baseball team won their Dixie Youth State Championship in Tabor City this pass week-end. Mr. Lambert will be going to Mississippi this coming week-end with his team to compete in the World Series. Ms. Holcomb as well as other Councilmembers congratulated Mr. Lambert and his team. Mr. Lambert stated that his team would be competing in a city next door to the city that Albemarle had helped during the Hurricane Katrina crisis.

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Councilmember Alexander mentioned a tree on North Fourth Street and East Cannon Avenue that is dead and needs removal. He also stated that the limbs are over the power lines. It was further determined that the tree is at the south west corner of that intersection.

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Ms. Joyce Bissonette from the audience stated that the building on the corner of North First Street and Ludlow Street needs to be looked into. Mayor Whitley stated that James Luster with the Centralina Council of Governments has been in contact with the owner , Roger Hudson, and that Mr. Hudson promised to board the building up and make it safe.

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