

Salisbury, North Carolina  
September 19, 2023

## **REGULAR MEETING**

**PRESENT:** Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Connie B. Snyder; and City Attorney J. Graham Corriher.

**ABSENT:** None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 6:04 p.m. A moment of silence was taken.

## **PLEDGE OF ALLEGIANCE**

Mayor Alexander led participants in the Pledge of Allegiance to the United States flag.

## **ADOPTION OF THE AGENDA**

Thereupon, Councilmember Post made a **motion** to adopt the Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

## **RECOGNITION – PARKS AND RECREATION DIRECTOR NICK ACEVES**

Mayor Alexander thanked Parks and Recreation Director Nick Aceves for his eight years of service to the City, and she recognized the many accomplishments the Parks and Recreation Department had under his leadership.

Council recognized Mr. Aceves for his service to the City and wished him the best on his future endeavors.

Mr. Aceves thanked Council for the opportunity to serve the City, and he noted the work of Parks and Recreation is a team effort.

## **PROCLAMATION**

Mayor to proclaim the following observance:

CONSTITUTION WEEK

September 17-23, 2023

## **CONSENT AGENDA**

(a) Minutes

Approve Minutes of the special and regular meetings of September 5, 2023 and the special meeting of September 7, 2023.

(b) Budget Ordinance Amendment – Controlled Substance Tax Funds

Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$4,000 to appropriate Police Department controlled substance tax funds.

ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE POLICE DEPARTMENT CONTROLLED SUBSTANCE TAX FUNDS.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 312, and is known as Ordinance 2023-62.)

(c) Budget Ordinance Amendment – Festival De Independencia

Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$500 to appropriate donations for expenses related to Festival De Independencia.

ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE A PARKS AND RECREATION DONATION.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 313, and is known as Ordinance 2023-63.)

(d) Budget Ordinance Amendment – Hurley Park Gazebo

Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$10,000 to appropriate a donation to help with expenses related to the Hurley Park gazebo repairs and tree replacement.

ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE A PARKS AND RECREATION DONATION.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 314, and is known as Ordinance 2023-64.)

(e) Contract – Carolina Siteworks, Inc.

Authorize the City Manager to execute a contract with Carolina Siteworks, Inc. in an amount not to exceed \$186,206 for the Pearl Street Water and Sewer Project and to adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$186,206 to appropriate revenue from Water Sewer Fund tap fees to fund the contract with Carolina Siteworks, Inc.

ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE CONNECTION FEES FOR THE PEARL STREET WATER AND SEWER EXTENSION.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 315, and is known as Ordinance 2023-65.)

(f) Purchase Order Contract – Transit Building Roof

Authorize the City Manager to enter into a Purchase Order contract in the amount of \$313,400 for the replacement of the Transit building roof.

(g) Alley Closing – North Jackson Street

Adopt a Resolution declaring the intent to permanently close an alley located off of the 800 block of North Jackson Street and set a public hearing for October 17, 2023.

RESOLUTION PERTAINING TO THE PROPOSED CLOSING OF AN ALLEY LOCATED OFF THE 800 BLOCK OF NORTH JACKSON STREET.

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 36, and is known as Resolution 2023-28.)

(h) Right-of-Way Encroachment – Hotwire Communications

Approve a right-of-way encroachment for installation of aerial and underground fiber optic cable by Hotwire Communications within the rights-of-way of Martin Luther King, Jr. Avenue, Klumac Road, and Mooresville Road per section 11-24(27) of the City Code subject to North Carolina Department of Transportation approval.

Councilmember McLaughlin referenced the proposed alley closing on North Jackson Street, and he asked if any property will be landlocked if the alley closing is approved. Transportation Director Wendy Brindle stated the City does not allow alley closings of permanent rights-of-ways that would landlock another parcel.

Thereupon, Councilmember McLaughlin made a **motion** to adopt the Consent Agenda as Presented. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

**PUBLIC COMMENT**

Mayor Alexander opened the floor to receive public comments.

Ms. Annie Boone-Carroll thanked Council, the Community Appearance Commission, and the Housing Advocacy Commission for selecting the 200 and 300 blocks of Lloyd Street for the 2023 BlockWork event.

There being no one else to address Council, Mayor Alexander closed the public comment session.

**FY2022-2023 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT**

Planner Malikia Cherubala addressed Council regarding the FY2022-2023 Consolidated Annual Performance and Evaluation Report (CAPER) regarding the use of Community Development Block Grant (CDBG) and HOME Program funds. She noted the City received \$290,752 in CDBG funds, \$204,168 in HOME Program funds, and \$20,000 in program income for a total of \$514,920.

Ms. Cherubala reviewed the housing goals, and she noted the City primarily uses CDBG funding for owner-occupied housing rehabilitation. She pointed out in FY2022-2023 three housing units were rehabilitated and three additional projects were initiated. She displayed photographs of the rehabilitation projects.

Ms. Cherubala referenced the Park Avenue Housing Rehabilitation Program, and she explained funds were appropriated for the program that began in the West End community and progressed to the Park Avenue neighborhood. She stated 21 rehabilitation projects have been

completed in the Park Avenue neighborhood since 2020, and she pointed out 18 of the projects were owner-occupied and 3 were rental projects that required a private match from the property owner. She indicated the majority of the projects benefited households at or below the 80% area median income.

Ms. Cherubala noted the Community Development Corporation (CDC) and the Housing Advocacy Commission (HAC) recommend the Neighborhood Rehabilitation Program proceed to Eamen Park. She pointed out Eamen Park contains 127 parcels of which 65% are owner-occupied, which is higher than the City's average of 46.6%. She noted surrounding areas include Salisbury High School and the West End community. She added the program has an adopted budget of \$200,000 and 8 to 9 projects are anticipated to be completed in FY2023-2024.

Ms. Cherubala indicated HOME Program funds were used to provide down payment assistance to two low-income households for the purchase of their first home. She pointed out the sidewalk on Lash Drive was completed and offers a walkable connection to transit service and daily destinations for approximately 1,700 housing units.

Ms. Cherubala stated CDBG funds are used to support public service agencies that serve low to moderate income populations. She noted the goal was to serve 130 people with non-housing public service benefits and 150 people were actually assisted with homelessness prevention. She added approximately 1,600 people were assisted with non-housing public service benefits and 345 people were assisted with homelessness prevention by the City's community partners Rowan Helping Ministries, Family Crisis Council, Meals on Wheels, Terrie Hess Child Advocacy Center, Community Care Clinic, and One Love Community Services. She pointed out the remaining CDBG Cares Program funds were provided to Prevent Child Abuse Rowan, A Bridge 4 Kids, a Community Resource Fair, Piedmont Players, and Rowan Helping Ministries for activities in the community.

Ms. Cherubala noted staff's objective was to implement a well-managed community development program, and she indicated the City made effective progress toward its 2020-2024 Consolidated Plan five year goals. She pointed out in FY2022-2023 programs and activities took place that promoted fair housing awareness, round table discussions were conducted, updated landlord and tenant rights brochures were distributed, and staff presented to the Rowan County Democrats and Rowan Concerned Citizens regarding housing and fair housing.

Ms. Cherubala stated the CAPER draft was available for public review September 1, 2023 through September 19, 2023 and the final draft will be sent to the United States Department of Housing and Urban Development (HUD) on September 30, 2023.

Mayor Alexander convened a public hearing, after due notice, regarding the City's FY2022-2023 CAPER.

There being no one to address Council, Mayor Alexander closed the public hearing.

Councilmember Post requested staff place an emphasis on tenant's rights. Councilmember Smith commended staff for using the funds to meet human needs and to provide services.

Mayor Alexander stated she is pleased that Eamen Park was recommend for the Neighborhood Rehabilitation Program, and she thanked Ms. Cherubala for her presentation.

### **GRANITE QUARRY – SALISBURY NON-ANNEXATION AGREEMENT**

City Manager Jim Greene and Planning and Neighborhoods Director Hannah Jacobson addressed Council regarding the Granite Quarry–Salisbury non-annexation agreement. Mr. Greene stated it is important to plan for future growth, and he noted at its last two Retreats Council prioritized strategically managed growth.

Mr. Greene explained Salisbury and Granite Quarry were among the first municipalities to meet and collaborate on growth boundaries. He added the conversations were open, thorough and collaborative. He explained the growth areas, or non-annexation boundaries, before Council were developed by professional staff and based on public safety, fire response, planning principals, comprehensive plans, service delivery, and state law. He stated the information has been shared with Rowan County and Granite Quarry's Board of Alderman approved the non-annexation boundaries at its August 31, 2023 meeting. He thanked Granite Quarry for its commitment to having the conversations with the City, and he thanked staff for its work on the proposed non-annexation agreement.

Mr. Greene noted approval of the growth boundaries does not imply any intent of Granite Quarry or Salisbury to proactively annex properties. He explained the proposed agreement establishes logical boundaries if future development occurs. He added with the agreements in place the Economic Development Commission (EDC) and developers will know where the boundaries are and can plan for future development. He added if the agreement is approved staff will work with surrounding municipalities to develop similar agreements.

City Attorney Graham Corriher displayed a map that showed the half-way point between all the municipalities in Rowan County that is used to determine the location of a natural line. He noted state law dictates annexation and Council only has the authority to annex based on a petition that is received from a property owner. He stated no part of a parcel being considered for annexation can be closer to another city than it is to the annexing city unless there is an annexation agreement in place.

Mr. Corriher pointed out the agreement provides certainty to the EDC and the municipalities regarding planning and development. He displayed a concept map of the I-85 corridor and another map that focused on an area to the east of the City. He explained the maps, will be used to structure a formal agreement that will require a public hearing. He added staff is requesting Council consider the concept of the maps and if the maps are approved a formal agreement will be brought to Council at a later meeting.

Ms. Jacobson noted the growth conversations took place while the City was working on its Forward 2040 Comprehensive Plan which calls for well-managed growth. She explained the City can grow through voluntary annexation, increased density, and infill development. She added it

is important to have a balance of the three approaches. She indicated the City must be realistic regarding where it can provide services effectively for the next 20 years.

Ms. Jacobson stated the EDC requested the City work with other municipalities along the I-85 corridor to develop a uniform zoning district that would promote economic development. She noted City staff met with Granite Quarry staff to consider legal constraints and the City's water and sewer network infrastructure availability. She indicated a major focus was placed on the ability to respond to fires and emergencies. Fire Chief Bob Parnell pointed out Fire Station 6, located at 310 Cedar Springs Road, allows access to the interstate and for a quicker response time. He pointed out both Fire Chiefs were in agreement regarding the proposed boundaries.

Ms. Jacobson indicated the teams also considered long-range transportation plans. She added the teams respected each other's Extraterritorial Jurisdiction (ETJ) and planning jurisdictions, and considered current development proposals and developable land. She pointed out a major area of discussion was the area east of I-85 and west of Old Concord Road. She displayed a map of the proposed non-annexation areas, and she pointed out the municipal boundaries, ETJ districts, the proposed growth areas, and the proposed non-annexation boundary.

Ms. Jacobson pointed out the proposed southern non-annexation boundary is Webb Road which is as far south and east that the City can reasonably provide water, sewer, and fire services. She indicated there was a strong desire by Granite Quarry to have interstate access, and she reviewed the proposed non-annexation boundary for Granite Quarry that includes residential areas and the Summit Industrial Park. She noted the eastern boundary is along Stokes Ferry Road and Dunns Mountain Road. She then reviewed an area where the Town of Faith has indicated it would like to discuss growth with the City.

Mr. Corriher pointed out the agreement for Council's consideration is between Salisbury and Granite Quarry. He stated there is a three-mile limit for annexations, and he indicated a lot of the land on the west side of I-85 is more than three miles outside the town limits of Granite Quarry and Faith, but is part of the City's growth area.

Mr. Corriher requested Council consider endorsing the maps that staff can use to produce a formal non-annexation agreement. He added the next steps will include a public hearing and formal adoption on the non-annexation agreement. He pointed out Granite Quarry has already endorsed the maps, but there is no formal agreement in place. He explained once the maps are endorsed by Council staff will work with Granite Quarry regarding the formal agreement and then it will go through the same process with the other municipalities.

Councilmember Smith noted growth is coming to the area and it is beneficial for the municipalities work together to handle the growth. He asked if staff is looking to other counties for precedent. Mr. Greene stated staff looked to other cities regarding best practices.

Mr. Corriher noted Granite Quarry and the City are both aware of the proposed boundaries and staff will make the EDC aware so there will not be any delay for future development.

Thereupon, Councilmember Smith made a **motion** to endorse the Granite Quarry – Salisbury Non-annexation Agreement Boundary Map. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

### **UPDATE – CITY PROJECTS**

City Manager Jim Greene asked Transportation Director Wendy Brindle to provide an update on various City projects. Ms. Brindle referenced a spreadsheet that was provided to Council that includes 36 projects that are taking place throughout the City.

Ms. Brindle noted the electric vehicle charging stations located at 301 South Main Street were funded by a \$300,000 Duke Energy Park and Plug Grant. She added the charging station is expected to be operational by the end of the month. She referenced the Fisher Street Bridge project and noted staff is working with the consultants to evaluate options for a pedestrian bridge.

Ms. Brindle indicated new windows are needed at City Hall and the City Office Building (COB) and staff is looking for options that provide historic preservation and sustainability. She stated a new roof was installed over a portion of the COB and cornice and waterproofing are needed to mitigate water issues. She pointed out City Hall and COB also need to have their exteriors cleaned. She stated the projects should go to construction in the summer of 2024.

Ms. Brindle referenced the Wells Fargo Building, and she noted the offices are nearly completed and Parks and Recreation staff has moved into the facility. She added work is progressing on the events space. She noted the HVAC in the building needs to be addressed, and she added getting the HVAC equipment could take 12 to 18 months. She then referenced the Civic Center Master Plan, and she explained it will be a feasibility study for a joint use, multi-purpose recreation center and aquatics facility in partnership with the Rufty Holmes Senior Center. She indicated a firm to conduct the feasibility study should be selected by mid-October.

Ms. Brindle pointed out the Miller Recreation Teen Center is nearly complete and will have a soft opening on Saturday. She added work is continuing on Hall Gym, and she noted a consultant is looking at options to remove a load bearing wall in Hall Gym to create access between the two facilities.

Ms. Brindle reviewed the Water Supply Resiliency Project, and she noted the objective is to relocate the existing Yadkin River raw water facility to a location that will be accessible during flooding events and more resilient to storms. She stated a Building Resilient Infrastructure and Communities (BRIC) Grant is the primary funding source for the project. She noted Federal Emergency Management Agency (FEMA) has revised the tentative grant award dated to March 2024 and Salisbury-Rowan Utilities (SRU) is moving forward with private funds from Cube Hydro.

Ms. Brindle stated the Micro-Transit Pilot Project is supported with state and federal funds and the implementation date will be delayed because the state has not approved its fiscal budget.



She indicated once the state budget is approved, it will take approximately four months to complete the paperwork and the anticipated start date is spring or summer 2024.

Ms. Brindle pointed out the City's portion of the mast arm replacement at Innes and Church Streets was completed on September 14, 2023. She noted the North Carolina Department of Transportation (NCDOT) will install vehicle detection loops on Church Street and Duke Energy will provide power to the street light. She reviewed a map of the street light pole painting and replacement project. She explained the project is being conducted in three phases and will be completed in 2025. She added staff is working with Duke Energy to repair and replace damaged and missing street light poles.

Ms. Brindle noted the Main Street Streetscape – Construction Level Design began a month ago. She stated there will be minor traffic interruptions as the consultants complete the surveying work. She indicated the consultant is creating a flyer for business owners, and staff is working with the Communications Department to keep citizens informed regarding the project. She added the project will enter construction in the fall of 2024.

Councilmember Post asked about Shoher Bridge. Ms. Brindle noted bridge inspections are conducted every two years and at this time there is nothing documented on the inspection. She added the federal program that was considered for the Fisher Street Bridge could be applied to Shoher Bridge, but the bridge did not score low enough during its last inspection to qualify for the program.

Mayor Alexander noted a lot of projects are taking place in the City, and she thanked Ms. Brindle for her presentation.

### **CITY MANAGER'S COMMENTS**

#### **(a) Leaf Collection**

City Manager Jim Greene asked Public Works Director Chris Tester to provide an update on leaf pickup. Mr. Tester noted the loose leaf collection will run from October 10, 2023 until March 22, 2024. He stated leaves should be placed at the pavement, but not in the street, by 7:00 a.m. the Monday morning of the collection week, and he noted there is a leaf collection map on the City's website. He explained the leaves cannot be mixed with any debris.

Mr. Green thanked staff for its work during the Dixonville Cemetery Memorial dedication and the Festival de Independencia Latinoamericana event that took place over the weekend.

### **COUNCIL COMMENTS**

Councilmember Post thanked staff for the projects update, and he noted the work that has been completed using Community Development Block Grant (CDBG) and HOME Program funds.

Councilmember Smith noted he had an incredible sense of pride when he attended the events that took place over the weekend in the City. He stated everyone should be proud that the City can tell a different story such as Dixonville and honor the people who are buried in the unmarked graves. He added the City strives to be equitable for all people. He stated the Hispanic Heritage Celebration that took place at Bell Tower Green was powerful and for the City to host a space for Latin American citizens to honor their culture is a profound act of love and equity. He thanked everyone who worked to make the events a success.

### **MAYOR PRO TEM'S COMMENTS**

Mayor Pro Tem Sheffield noted the weekend was great and the thanked staff for its work to make the events great.

### **MAYOR'S ANNOUNCEMENTS AND COMMENTS**

#### **(a) Fall Spruce Up Week**


Mayor Alexander announced Fall Spruce Up Week will be held October 2<sup>nd</sup> through October 6<sup>th</sup>, 2023. This week is designated for residential customers who have City of Salisbury garbage service. Items must be placed at the curb no later than 7:00 a.m. on resident's regular garbage collection day. For additional information or for a list of items Public Works can and cannot collect call (704) 638-5256.

Mayor Alexander thanked staff for its service to citizens and all it did over the weekend to make the community shine.

### **ADJOURNMENT**

Motion to adjourn the meeting was made by Councilmember Smith. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 7:38 p.m.

  
Connie B. Snyder, City Clerk

  
Karen Alexander, Mayor