



# City of Salisbury

North Carolina

## COUNCIL MEETING AGENDA

**November 8, 2023**  
**6:00 p.m.**

*The meeting will be held in a hybrid format and will be streamed live at [salisburync.gov/webcast](https://salisburync.gov/webcast) and on the City's Facebook account.*

*Anyone who wishes to speak via Zoom during public comment must sign-up by 5:00 p.m. on November 8, 2023 by contacting Connie Snyder at [csnyd@salisburync.gov](mailto:csnyd@salisburync.gov). Citizens who wish to speak in person can sign up in Council Chambers.*

1. Call to order.
2. Moment of Silence.
3. Pledge of Allegiance.
4. Adoption of Agenda.
5. Council to recognize Downtown Development Director Sada Troutman for being named to Business North Carolina's 2023 Trailblazer list.
6. Council to recognize Event Coordinator Vivian Koontz for receiving the Certified Festival Events Executive Certification and Recreation Program Supervisor Megan Simpson for receiving the Certified Pool and Spa Operator Certification.
7. Mayor to proclaim the following observances:

VETERANS DAY	November 11, 2023
INTERNATIONAL SURVIVORS OF SUICIDE LOSS DAY	November 18, 2023
TRANSGENDER DAY OF REMEMBRANCE	November 20, 2023
INDIAN AND NATIVE AMERICAN MONTH	November 2023
SURVIVORS OF HOMICIDE VICTIMS AWARENESS MONTH	November 20 – December 20, 2023
8. Council to consider the CONSENT AGENDA:
  - (a) Approve Minutes of the regular meeting of October 17, 2023 and the special meetings of October 6, 2023 and October 25, 2023.
  - (b) Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$6,249 to appropriate a sponsorship/donation for the Summer Concert Series at Bell Tower Green Park.
  - (c) Adopt a Resolution declaring the intent to permanently close an unimproved portion of Section Street located off the 100 block of Carolina Avenue and set a public to receive for December 5, 2023.

**COUNCIL MEETING AGENDA – PAGE 2 – NOVEMBER 8, 2023**

- (d) Approve a right-of-way encroachment for the installation of approximately 1,582 feet of underground fiber optic cable by AT&T within the rights-of-way of Shay Crossing Road, Willamette Drive and Bluebonnet Drive per Section 11-24(27) of the City Code.
  - (e) Ratify the issuance of a purchase order to Interstate Transportation Sales & Service, Inc. in an amount not to exceed \$688,298 for the purchase of two all-electric vehicles and related charging stations for Transit and authorize the City Manager to execute any documents required to approve the purchase. On June 7, 2022, Council approved the appropriation of funds from the NC Volkswagen settlement Program for this purchase.
  - (f) Authorize the City Manager to execute an agreement with Garden Street Communities Southeast LLC for the Kerns Ridge Subdivision sewer infrastructure improvements. The developer will pay for the cost of the improvements estimated to total \$77,000.
  - (g) Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$1,158 to appropriate a donation for College Night Out hosted by Downtown Development.
  - (h) Approve a Developer’s Agreement for Shay Crossing Phase 2, accept portions of Shay Crossing Road, Bluebonnet Drive and Willamette Drive for maintenance, and adopt an Ordinance establishing stop conditions.
9. Council to receive public comment. ***Speakers who wish to speak via Zoom must sign-up before 5:00 p.m. by contacting Connie Snyder at csnyd@salisburync.gov.*** Citizens who wish to speak in person can sign-up in Council Chambers. Citizens who are unable to speak during the meeting may submit written comments to the email above and they will be shared with Council.
10. Council to consider adopting an Ordinance approving an Annexation Agreement with the Town of Granite Quarry. (*Presenter – City Attorney Graham Corriher*).
- (a) Receive a presentation from staff
  - (b) Hold a public hearing
  - (c) Consider adopting an Ordinance approving an Annexation Agreement with the Town of Granite Quarry.
11. Council to consider awarding a contract to Downtown Salisbury, Incorporated in the approximate amount of \$142,000 (or the amount estimated from Municipal Service District taxes received for FY2023-2024) for Main Street Program services within the Municipal Service District: (*Presenter – Planning and Neighborhoods Director Hannah Jacobson*)
- (a) Receive a presentation from staff
  - (b) Hold a public hearing
  - (c) Consider awarding a contract to Downtown Salisbury, Inc. for services within the Municipal Service District.

**COUNCIL MEETING AGENDA – PAGE 3 – NOVEMBER 8, 2023**

12. Council to receive the updated Draft Uniform Construction Standards Manual for review and comment: (*Presenter – City Engineer Wendy Brindle*)
13. Council to consider authorizing the City Manager to execute a contract renewal with Atlantic Coast Contractors, Inc. in the amount of \$1,550,000 for construction related to the Sanitary Sewer Rehabilitation Project – Contract 2. (*Presenter – Salisbury-Rowan Utilities Director Jim Behmer*)
14. Council to consider approving an update to the employee pay grade and classification schedule to add two positions and reestablish two positions previously included for the Police Department. (*Presenter – Police Chief Patrick Smith*).
15. City Attorney’s Report.
16. City Manager’s Report.
17. Council’s Comments.
18. Mayor Pro Tem’s Comments.
19. Mayor’s Announcements and Comments.
  - (a) Residents of Salisbury are encouraged to share their thoughts on housing in the City by taking an online survey. The survey will help shape future policies and spending priorities related to housing and community development. The survey is available at [www.salisburync.gov/housing](http://www.salisburync.gov/housing). The survey launched October 16<sup>th</sup> and will remain open through the end of November.
20. Adjourn.

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: City Manager Jim Greene, Jr.

Name of Presenter(s):

Requested Agenda Item: Council to recognize Downtown Development Director Sada Troutman for being named as a 2023 Business North Carolina Trailblazer.

## Description of Requested Agenda Item:

Business North Carolina has released its list of Trailblazers for 2023 and named Downtown Development Director Sada Troutman as one of this year's Trailblazers. The annual list focuses on people under the age of 40 who work for cities and towns with fewer than 150,000. It recognizes influential business leaders who work behind the scenes to champion their communities and to make cities and towns across the state vibrant. Recipients are nominated for their contributions and positive impact on their communities.

Attachments:  Yes  No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

**Action Requested of Council for Agenda Item:** Council to recognize Downtown Development Director Sada Troutman for being named to Business North Carolina's Trailblazer list.

*(Please note if item includes an ordinance, resolution or petition)*

## Contact Information for Group or Individual:

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

## FINANCE DEPARTMENT INFORMATION:

# Salisbury City Council Agenda Item Request Form

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\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Budget Manager Signature

***\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\****

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**For Use in Clerk's Office Only**

**Approved**

**Delayed**

**Declined**

**Reason:**



## SADA STEWART TROUTMAN

DOWNTOWN DEVELOPMENT  
DIRECTOR | CITY OF SALISBURY  
SALISBURY  
Age 27

Troutman came to Rowan County to lead the Historic Salisbury Foundation in 2019, then moved to her current post two years later. She works with developers, business and property owners, and residents to help grow downtown Salisbury. One joy of her job is **seeing others discover the community's assets.**

Education: **American history, Princeton University; master's in historic preservation, Clemson University**

Biggest influencers: Graduate school professors Carter Hudgins and Amalia Leifeste taught me historic preservation is a tool for community building, community identity, and community development, all of which continues to drive my passion for downtown Salisbury. My parents instilled in me that serving the community is important and admirable.

Cool fact about yourself: I was a Division I swimmer in college.

**Organization's biggest success last year:** Salisbury was one of the first communities in North Carolina to create a downtown social district in July 2022. There was a lot of research and execution to make it safe and impactful. Our businesses, not just bars and restaurants, have seen a positive economic impact.

Best place to show off your town: I take family and friends in town to get a drink in the social district, so we can walk around and shop, and ultimately end up with good food from one of our downtown restaurants. **Then I take them to our Bell Tower Green for a concert. Can't go wrong** with a beer from New Sarum, a Cheerwine, and a pizza from Salty Caper (get the House Pie) to enjoy a night at the park.

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Interim Assistant City Manager Brian Hiatt

Name of Presenter(s):

**Requested Agenda Item:** Council to recognize Event Coordinator Vivian Koontz for receiving the Certified Festival Events Executive Certification and Recreation Program Supervisor Megan Simpson for receiving the Certified Pool and Spa Operator Certification.

## Description of Requested Agenda Item:

Parks and Recreation were recently recognized with advanced certifications. Events Coordinator Vivian Koontz received the Certified Events Executive Certification through the International Festival and Events Association. This Certification is a globally recognized credential that acknowledges the commitment and excellence of individuals who work tirelessly to create unforgettable festival and event experiences. Vivian is one of only 425 people with this designation.

Recreation Program Supervisor Megan Simpson received the Certified Pool and Spa Operator Certification as an operator of aquatic facilities from the Pool and Hot Tub Alliance. This designation recognizes excellence in achievement and a proven knowledge in the pool and hot tub profession.

**Attachments:**  Yes  No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

**Action Requested of Council for Agenda Item:** Council to recognize Event Coordinator Vivian Koontz for receiving the Certified Festival Events Executive Certification and Recreation Program Supervisor Megan Simpson for receiving the Certified Pool and Spa Operator Certification.

*(Please note if item includes an ordinance, resolution or petition)*

**Contact Information for Group or Individual:**

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**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

# Salisbury City Council Agenda Item Request Form



**Regular Agenda** (item to be discussed and possibly voted on by Council)

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## FINANCE DEPARTMENT INFORMATION:

\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Budget Manager Signature

***\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\****

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## For Use in Clerk's Office Only

**Approved**

**Delayed**

**Declined**

**Reason:**



# *City of Salisbury*

*North Carolina*

## PROCLAMATION

**WHEREAS**, the month of November is being celebrated as National American Indian and Alaskan Native Heritage Month; and

**WHEREAS**, the Indian and Native American culture and society are at the roots of agricultural development, medicinal discoveries, environmental preservation, geógraphy, and other facets of our state and nation; and

**WHEREAS**, the Indian and Native American contributions have enhanced the freedom, prosperity, and the greatness of America today as their customs and traditions are both respected and celebrated as part of a rich legacy throughout the United States; and

**WHEREAS**, Salisbury, North Carolina has been the center for Native Americans who traversed the Yadkin River Valley for thousands of years and spread across the Americas; and

**WHEREAS**, the Lumbee, Creek, Catawba, Cherokee, and other tribal groups that may be known by many different names have retained and increased the awareness of their heritage in this great state; and

**WHEREAS**, this November and every month, we celebrate the culture and heritage of these remarkable Americans who deeply enrich the quality and character of our nations.

**NOW, THEREFORE**, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of Salisbury City Council, DO HEREBY PROCLAIM November 2023 as

### INDIAN AND NATIVE AMERICAN HERITAGE MONTH

in Salisbury, and encourage all citizens to honor and remember the many contributions made by our local Indians and Native Americans and the unique heritage of our continent's first inhabitants.

This the 8<sup>th</sup> day of November 2023.



Karen K. Alexander, Mayor



*City of Salisbury*  
North Carolina

**PROCLAMATION**

**WHEREAS**, since 2021 the number of suicides in the United States have increased by 4%; and

**WHEREAS**, suicide is a major contributor to premature deaths in the United States, especially among people 10 to 34 years of age and is the second leading cause of death; and

**WHEREAS**, there is a need for greater outreach to suicide survivors because they often suffer their devastating loss alone; and

**WHEREAS**, a network of support offered from other survivors can help suicide survivors cope with their loss and rebuild their lives; and

**WHEREAS**, in 1999 Senator Harry Reid, a survivor of his father's 1972 suicide, introduced Resolution 99 and with its passage the United States Congress designated the Saturday before Thanksgiving as "National Survivors of Suicide Day", and recently changed to "International Survivors of Suicide Loss Day"; and

**WHEREAS**, International Survivors of Suicide Loss Day is a day when people affected by suicide gather at community events to find comfort and gain understanding as they share their stories of healing and hope.

**NOW, THEREFORE**, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of Salisbury City Council, DO HEREBY PROCLAIM Saturday, November 18, 2023 as

**INTERNATIONAL SURVIVORS OF SUICIDE LOSS DAY**

in Salisbury, and encourage the involvement of suicide survivors in healing activities and prevention programs, recognizing that survivors can be a great source of strength to each other. I further acknowledge the efforts of suicide survivors in their prevention, education, and advocacy activities to eliminate stigma and reduce the incidence of suicide.

This the 8<sup>th</sup> day of November 2023.



Karen K. Alexander, Mayor



# *City of Salisbury*

*North Carolina*

## **PROCLAMATION**

**WHEREAS**, homicide devastates the lives of family members, friends, neighbors, co-workers, and acquaintances of murdered victims; and

**WHEREAS**, family members and loved ones of murdered victims experience a complex range of emotions due to the deplorable act of homicide and becoming survivors of homicide victims; and

**WHEREAS**, approximately one in every ten people will lose a loved one in their lifetime due to homicide leaving behind countless survivors to grieve and cope; and

**WHEREAS**, survivors of homicide victims who suffer from prolonged grief have an increased risk of developing Post-Traumatic Stress Disorder, becoming suicidal, or developing other serious health issues along with extreme anxiety, fear, and sadness; and

**WHEREAS**, due to the life-changing impact of trauma, hardship, and loss that results from homicide there are local victim resource offices, victim assistance professionals, victim advocates, support groups, and other resources available in the community to help survivors of homicide victims cope following the death of a loved one.

**NOW, THEREFORE**, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of Salisbury City Council, DO HEREBY PROCLAIM November 20 through December 20, 2023 as

### **SURVIVORS OF HOMICIDE VICTIMS AWARENESS MONTH**

in Salisbury, and encourage citizens to advocate, raise awareness, and support those in our community who are survivors of homicide victims.

This the 8<sup>th</sup> day of November 2023.



  
Karen K. Alexander, Mayor



# *City of Salisbury*

North Carolina

## PROCLAMATION

**WHEREAS**, Transgender Day of Remembrance is observed Nationally on November 20<sup>th</sup> each year to honor the memory of those whose lives were lost in acts of anti-transgender violence and to raise awareness of hate crimes against transgender people; and

**WHEREAS**, each year since 1988, Transgender Day of Remembrance is held with a vigil to honor the memory of Rita Hester, a transgender woman who was killed, and which now honors all transgender people lost to violence; and

**WHEREAS**, our entire community is diminished when we lose the talents and contributions of any member of our community prematurely, whether due to direct anti-transgender violence or due to suicide or other health effects resulting from trauma or discrimination; and

**WHEREAS**, The National Center for Transgender Equality show one in four transgender individuals are targeted for violence based on bias or hate; and

**WHEREAS**, Salisbury honors the bravery and resilience of the transgender individuals who live or work in our City in their authentic gender; and

**WHEREAS**, let it be recognized that the City of Salisbury embraces all persons and uphold the shared values of dignity, equality, and fair treatment for everyone by standing against acts of violence towards and lack of acceptance of transgendered persons.

**NOW, THEREFORE**, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of Salisbury City Council, DO HEREBY PROCLAIM Sunday, November 20, 2023 as

## TRANSGENDER DAY OF REMEMBRANCE

in Salisbury, to honor and celebrate the contributions and resilience of Salisbury's Transgender Community.

This the 8<sup>th</sup> day of November 2023.



  
Karen K. Alexander, Mayor



# *City of Salisbury*

*North Carolina*

## **PROCLAMATION**

**WHEREAS**, the contributions and sacrifices of the people who served in the Armed Forces have been vital in maintaining our freedoms and way of life; and

**WHEREAS**, tons of millions of Americans have served in the Armed Forces of the United States during the past century; and

**WHEREAS**, hundreds of thousands of Americans have given their lives while serving in the Armed Forces; and

**WHEREAS**, our Veterans are brave and selfless individuals who, when duty called, willingly put themselves in harm's way to defend the lives and liberty of others; and

**WHEREAS**, their abiding patriotism and enduring devotion to the ideals on which the United States is founded never fail to inspire us; and

**WHEREAS**, our Veterans understand the important task before the American service members now keeping watch.

**NOW, THEREFORE**, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, on behalf of Salisbury City Council, DO HEREBY PROCLAIM Saturday, Saturday, November 11, 2023 as

## **VETERANS DAY**

in Salisbury, and encourage all people to recognize and honor the contributions of our veterans to the principles of democracy, individual freedom, and human rights.

This the 8<sup>th</sup> day of November 2023.



Karen K. Alexander, Mayor

Salisbury, North Carolina  
October 6, 2023

## **SPECIAL MEETING**

**PRESENT:** Mayor Karen K. Alexander; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin (joined via Zoom), David Post, and Anthony Smith; City Manager Jim Greene, Jr.

**ABSENT:** City Attorney J. Graham Corriher and City Clerk Connie Snyder.

Members of Council participated in a strategic planning workshop with Ms. Michelle Ferguson and Ms. Janae Janik, consultants with Raffelis. City Manager Jim Greene, Jr. reviewed the process leading to Council's priority to develop a strategic plan for the City. Budget Manager Tracey Keyes introduced Ms. Ferguson and Ms. Janik and reviewed the work that had taken place prior to the workshop.

Ms. Ferguson encouraged Council to think about what they would like the community to look like in 10 years. She led Council through an exercise to identify the truths they believe about the Salisbury community.

Ms. Ferguson reviewed an environmental scan compiled from meetings with the Management Team, chairs of the City's Boards and Commissions, individual meetings with Council, and through feedback from an employee survey. She indicated population growth in Salisbury is exceeding national trends, and residents are concerned about housing and affordability. She pointed out there are also concerns around public safety, recruitment difficulties, and employee turnover.

Mr. Ferguson then asked Council to list items that are true about Salisbury today and those things they hope will be true in 10 years. Council submitted their thoughts on sticky notes and their feedback was grouped into potential focus areas for the plan. The focus areas were:

- Economic & Workforce Development (living wage)
- Regional Partnerships
- Housing Affordability
- Organizational Excellence (anticipate growth)

- Sustainable Infrastructure
- Cultural Amenities
- Healthy Safe Neighborhoods/Community Engagement

Ms. Ferguson stated she will modify the language for the focus areas and bring to staff to begin adding details and objectives. She thanked Council for their time and participation.

Mayor Alexander thanked Ms. Ferguson and Ms. Janik for their work on the strategic plan.

### **ADJOURNMENT**

Motion to adjourn the meeting was made by Mayor Pro Tem Sheffield. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers Post and Smith voted AYE. (4-0)

The meeting was adjourned at 12:54 p.m.

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Karen Alexander, Mayor

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Connie B. Snyder, City Clerk

Salisbury, North Carolina  
October 17, 2023

## **REGULAR MEETING**

**PRESENT:** Mayor Pro Tem Tamara Sheffield, Presiding; 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:** Mayor Karen K. Alexander.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Pro Tem Sheffield at 6:00 p.m. A moment of silence was taken.

## **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Sheffield led participants in the Pledge of Allegiance to the United States flag.

Mayor Pro Tem Sheffield noted during the Busker's Bash the street lights in the pocket park on Lee Street went out making the area dark. She stated Transportation Manager Zack Lemmon came out at 11:30 p.m. and fixed the lights to ensure citizen safety. She thanked Mr. Lemmon for all he does for the City.

## **ADOPTION OF THE AGENDA**

Thereupon, Councilmember Post made a **motion** to adopt the Agenda as presented. Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

## **PROCLAMATIONS**

Mayor Pro Tem to proclaim the following observance:

MAKE A DIFFERENCE DAY

October 28, 2023

## **CONSENT AGENDA**

(a) Minutes

Approve Minutes of the special meeting of October 3, 2023 and the regular meeting of October 3, 2023.

(b) Parking – Crown Point Drive

Adopt an Ordinance amending Section 13-338 (parking prohibited at all time) to add the restriction to the south side of Crown Point Drive beginning at the intersection with Carolina Boulevard and ending at the dead-end.

ORDINANCE AMENDING CHAPTER 13, ARTICLE X, OF THE CODE OF THE CITY OF SALISBURY, RELATING TO PARKING.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 322, and is known as Ordinance 2023-70.)

(c) Agreements – North Carolina Department of Transportation

Authorize the City Engineer to accept agreements with North Carolina Department of Transportation concerning maintenance of signs (Schedule A), markings and markers (Schedule B), traffic signals (Schedule C), and the computerized traffic signal system (Schedule D).

(d) Right-Of-Way Encroachment

Approve a right-of-way encroachment for the installation of approximately 956 linear feet of directional bore duct by Conterra in the 3400 block of South Main Street per Section 11-24(27) of the City Code and subject to an approved encroachment by the North Carolina Department of Transportation.

(e) Contract Extension – MTO, Inc.

Approve a two-year contract extension with MTO, Inc. in the amount of \$158,276.92 for one year with a price adjustment allowed in year two for facility cleaning services. Funds for the contracted service are included in the FY2023-2024 adopted budget.

(f) Approval – Purchase Order 240488

Authorize the City Manager to approve Purchase Order 240488 in the amount of \$169,000 for the purchase of used TL3 Petersen Lightning Loader and adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$169,000 to appropriate insurance claim proceeds.

Thereupon, Councilmember Post made a **motion** to adopt the Consent Agenda as presented. Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

**PUBLIC COMMENT**

Mayor Pro Tem Sheffield opened the floor to receive public comments.

Mr. Robin Albright, Pastor Southside Baptist Church, thanked Council for approving the parking restriction on the south side of Crown Point Drive. He pointed out if cars are parked on both sides of the street it makes it difficult for larger vehicles such as delivery, fire, and garbage trucks to maneuver the narrow street.

Ms. Emily Perry read a letter she sent to City Manager Jim Greene thanking staff for its work on the Dixonville Cemetery. She pointed out retired and former staff members remained focused and engaged with the Dixonville Cemetery task force.

Mr. Gemale Black referenced an article in the *Salisbury Post* that stated the City removed benches on East Fisher and South Lee Streets due to alleged unsheltered persons using the benches for rest and shelter. He stated the removal of benches and installation of a camera in the area is not a solution that reflects the City's values, and he added the community must work together to find compassionate solutions.

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

City Manager Jim Greene explained Public Works staff reviews infrastructure throughout the City, and the benches near the Plaza were removed for routine maintenance. He indicated there was concern from local residents and businesses regarding unsheltered persons in the area. He added the community must come together to evaluate the situation and look for a holistic solution. He pointed out the Police Department's camera is moved to various locations throughout the City and will be moved to a different location this week.

**INCENTIVE GRANT REQUEST – CROWE HOLDINGS**

Economic Development Council (EDC) Vice President Scott Shelton addressed Council regarding an incentive grant for Project Crowe equal to 90% of the taxes paid on the estimated \$11.92 million investment to an existing facility. He stated the company behind Project Crowe is

internationally known and is looking for a distribution center in the Southeastern United States. He commented the 700,000 square foot building under construction on Peeler Road is being considered for the project.

Mr. Shelton noted if the Salisbury location is chosen the company would create 80 jobs over the next three years. He referenced the \$73 million investment by Crowe Holdings, and he pointed out Project Crowe would invest approximately \$29 million in up-fits and \$12 million in new equipment. He added the company plans to begin operations at its chosen location in the third quarter of 2024.

Mr. Shelton asked Council to consider a three-year incentive grant for the personal property investment equal to 90% of the new taxes paid. He explained the smaller grant payment would lead to an increase in net revenue to the City of approximately \$78,787 over 10 years. He reviewed the grant term comparison for a 10-year period:

<u>Proposed Investment</u>	<u>Grant Terms</u>	<u>Grant Percentage</u>	<u>Total Grant Value</u>	<u>Total Net Revenue to City</u>
\$11.92 million	5 years	80%	\$263,163	\$225,128
\$11.92 million	3 years	90%	\$184,376	\$303,915

Mr. Shelton pointed out Rowan County Commissioners approved a five-year tax incentive grant on the real and personal property for Project Crowe and the EDC has requested assistance from the Department of Commerce to find grants for the project.

Councilmember McLaughlin asked if the jobs will be created at the beginning or near the end of the incentive grant period. Mr. Shelton stated the 80 jobs will have an average salary of \$53,000, which is above the County average. He estimated 43 jobs would be created in the first year, 13 jobs the following year, and 24 jobs will be created during the third year. Councilmember Smith asked if the work force is anticipated to come from the area. Mr. Shelton agreed.

Mayor Pro Tem Sheffield convened a public hearing, after due notice, regarding the proposed incentive grant request.

Ms. Dee Dee Wright requested clarification regarding the 10-year \$11.29 million investment generating \$304,000 additional tax revenue over 10 years and Project Crowe receiving \$184,376 over a three-year period.

Ms. Dottie Hoy reviewed the history of Crowe Holdings, and she stated it is important to know who will benefits from tax incentives.

There being no one else to address Council, Mayor Pro Tem Sheffield closed the public hearing.

City Manager Jim Greene stated the City benefits from this project through property tax and jobs. He pointed out the incentives are performance based and requirements must be met. He stated the policy allows for a longer term, but a shorter term was agreed upon that is more beneficial for the City.

Mayor Pro Tem Sheffield referenced the grant terms, and she noted over 10 years the City will receive approximately \$75,000 in additional tax revenue. Mr. Shelton explained the tenant will pay the taxes on the building and the equipment and similar terms seemed to be a reasonable solution. Mr. Greene stated the additional tax revenue is important, and he pointed out there will be an economic development impact including the creation of 80 jobs with salaries above the County average.

Councilmember Post questioned the proposed totals. Mr. Shelton explained the total revenue over 10 years is \$488,000, and he pointed out equipment depreciation was considered. He noted the company will likely invest in additional equipment after year three that will create additional tax revenue. Councilmember McLaughlin stated the jobs will create above-average salaries that can be spent in the City. Councilmember Smith indicated there is an increasing amount of unaffordability in the region and there is an opportunity to bring 80 jobs to the City that pay above the median income. He thanked Mr. Shelton and the EDC for all they do for the City.

Mr. Greene stated the City is in competition for this tenant and it is important to create a competitive package.

Thereupon, Councilmember Post made a **motion** to award an incentive grant to Crowe Holdings equal to 90% of taxes paid on the estimated \$11.92 million taxable investment to an existing facility. The total estimated value of the grant is \$184,376 to be paid in annual installments for a period not to exceed three years. Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

### **ALLEY CLOSING – NORTH JACKSON STREET**

Transportation Director Wendy Brindle stated at a previous meeting Council adopted a Resolution of Intent to close an alley off the 800 block of North Jackson Street. She reviewed a map of the area, and she pointed out the alley and its location to North Jackson Street, West Henderson Street, and Lake Drive.

Ms. Brindle explained by State Statute once the alley is closed it will be divided equally between adjoining property owners and if a property owner has interest in the whole alley, they would negotiate with the neighbors to receive it. She stated the City follows North Carolina General Statute 160A-299 for all right-of-way closings which state closing the alley must not be contrary to the public interest, and no one should be deprived of reasonable means of ingress and egress to their property.

Ms. Brindle noted to close the alley Council must hold a public hearing, adopt a Resolution accepting the right-of-way and then adopt the Order to close the right-of-way. Councilmember Post asked if the closed alley will be reflected on the tax maps. Ms. Brindle agreed, and she stated the petitioner has interest in owning the alley which would be a civil matter between the property owners.

Mayor Pro Tem Sheffield convened a public hearing, after due notice, regarding the proposed alley closing.

Ms. Queena Tabora stated she is the petitioner to close the alley. She stated when she purchased her home it was assumed the alley was their driveway and she later found out a process was needed to close the alley. She stated North Jackson Street is narrow and there is limited room for parking. She added the alley closing would provide her family a safe place to park their cars.

There being no one else to address Council, Mayor Pro Tem Sheffield closed the public hearing.

Thereupon, Councilmember McLaughlin made a **motion** to adopt a Resolution pertaining to the proposed closing of an alley located off of the 800 block of North Jackson Street. Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

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

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 38, and is known as Resolution 2023-30.)

Thereupon, Councilmember McLaughlin made a **motion** to adopt an Order closing an alley located off of the 800 block of North Jackson Street. The closing is not contrary to the public interest and no one will be deprived of reasonable means of ingress and egress to their property. Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

(The above Order is recorded in full at the Register of Deeds and maintained in the City Clerk's Alley Closing File dated October 17, 2023.)

#### **LOCAL HISTORIC LANDMARK – WRIGHT-HOBSON HOUSE**

Planner Emily Vanek asked Council to consider adopting an Ordinance designating the Wright-Hobson House located at 302 South Fulton Street as a Local Historic Landmark.

Ms. Vanek noted the home was built in 1912 in neoclassical style and designed by architect Louis Asbury. She displayed photos of the home and stated a Local Historic Landmark is defined as a building, structure, site, or object, which may or may not be listed on the National Register of Historic Places, and is an outstanding example of a historic resource and is intended to be recognized for its architectural integrity. She commented in addition to documented special

significance, these properties maintain the highest degree of integrity and are further recognized for their rarity among properties in the City.

Ms. Vanek explained for a property to be designated as a Local Historic Landmark the property must have special significance for its historical, prehistorical, architectural, or cultural importance. She noted the Wright-Hobson House embodies the distinctive characteristics of a type, period, or method of construction that represent the work of a master, possesses high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction. She stated the proposed property must be found to have integrity in all seven aspects including, location, setting, design, material, workmanship, feeling, and association.

Ms. Vanek stated staff finds the Wright-Hobson House retains special significance and staff also finds the application retains all seven aspects of integrity. She added the house is the only red brick neoclassical home in Salisbury and was designed by Louis Asbury who was a prolific architect in Charlotte and often considered North Carolina's first professional architect.

Ms. Vanek noted that the Landmark Proposed Designation report proposes the entire house exterior, accessory structure, and site be included in the designation. She stated no portions of the interior are included in the designation report. She explained since the property is within the West Square Local Historic District, the exterior of all buildings and site features will be subject to the Certificate of Appropriateness process and the Local Historic Design Standards.

Ms. Vanek commented the homeowner completed the pre-application, which was reviewed by the Historic Preservation Commission (HPC) at its May 11, 2023 meeting, and the commission found the Local Historic Landmark pre-application for the Wright-Hobson House to qualify as a Local Historic Landmark. She added the report was submitted to the State Historic Preservation (SHPO) for its review and comment, and on July 27, 2023, SHPO's response was received and provided to the applicant. She noted at its September 14, 2023 meeting the HPC found the Wright-Hobson House retains special significance for its architectural and cultural importance and it satisfies all seven aspects of integrity.

Councilmember Post asked how many neoclassical-style homes are in the City of Salisbury. Ms. Vanek stated there is one other neoclassical home on the corner of South Fulton and Fisher Streets.

Mayor Pro Tem Sheffield convened a public hearing, after due notice, regarding the proposed local historic landmark designation of the Wright-Hobson House.

Ms. Karen Hobson asked Council to designate the Wright-Hobson House as a Local Historic Landmark. She displayed photos of the home and noted the homes special significance. She also provided history on Architect Louis Asbury's notable work.

Ms. Karen Lilly-Bowyer spoke in favor of designating the Wright-Hobson House as a Local Historic Landmark.

There being no one else to address Council, Mayor Pro Tem Sheffield closed the public hearing.

Thereupon, Councilmember Post made a **motion** to adopt an Ordinance designating the Wright-Hobson House located at 302 South Fulton Street in Salisbury, North Carolina as a Local Historic Landmark. Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

ORDINANCE DESIGNATING THE “WRIGHT-HOBSON HOUSE”, LOCATED AT 302 SOUTH FULTON STREET IN SALISBURY, NORTH CAROLINA, AS A LOCAL HISTORIC LANDMARK.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 323-325, and is known as Ordinance 2023-71.)

### **HOUSING STRATEGY SURVEY**

Planning and Neighborhoods Director Hannah Jacobson provided an update to Council regarding a community survey that will contribute to developing the 10-Year Housing Strategy. Ms. Jacobson noted in January Council prioritized creating a 10-year Housing Strategy for 2023 and Thomas P. Miller and Associates were selected to assist with the project. She stated staff has been meeting with consultants frequently, and consultants have been working to research data and evaluate previous housing plans.

Ms. Jacobson explained next steps for the 10-Year Housing Strategy include launching a community-wide survey to understand more about citizens' experiences and opinions regarding housing. She noted postcards and flyers will be distributed around the community in English and Spanish with instructions on accessing the survey. She added the survey is primarily online, but paper copies will be available at various locations across the City and upon request. She stated the housing survey can be accessed through the QR code on the flyer, and citizens can also access the survey on the City Website. She added paper copies can be requested by calling 704-638-5230.

Ms. Jacobson noted citizens could spread the word by sharing posts on social media accounts inviting colleagues, friends, and acquaintances to take the survey. She stated citizens can also share the survey with neighborhood groups, places of worship, professional associations, civic groups, and school groups.

### **BOARDS AND COMMISSIONS**

#### **Parks and Recreation Advisory Board**

Upon a motion by Councilmember McLaughlin. Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment was made to the Parks and Recreation Advisory Board:

Mr. Dana Grubb

Term Expires 3/31/2025

Rowan Tourism Board

Upon a motion by Mayor Pro Tem Sheffield. Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointments were made to the Rowan Tourism Board:

Ms. Krista Sullivan

Term Expires 3/31/2025

Ms. April Saylor

Term Expires 3/31/2025

**CITY MANAGER'S COMMENTS**

(a) Livingstone College Homecoming Events

City Manager Jim Greene pointed out the Livingstone College homecoming game will take place Saturday with other planned events including a concert after the game. He indicated the Police and Fire Departments are working closely with Livingstone College regarding the events, and he thanked both departments for all they do to keep citizens safe.

Police Chief Patrick Smith thanked Livingstone College Police Chief Dr. Reginald Roberts for his assistance regarding the upcoming events. He noted Fire Captain Adrian Gantt and Police Sargent Adam Bouk have worked closely with Dr. Roberts regarding setting up mutual aid agreements with outside sources and with an operational plan for citizen's safety. He added the City will also partner with mutual aid from other agencies due to the anticipated 8,000 to 10,000 participants. He added there will be an increase of police officers along with assistance from other agencies to patrol neighborhoods and handle any issues that may arise.

(b) City Council Special Meeting

City Manager Jim Greene asked Council to consider a Special Meeting on October 25, 2023 regarding state funding for the purchase of a new apparatus for the Fire Department. He indicated there may be a price increase on November 1, 2023. He stated staff will continue to have conversations regarding state funding. He added the proposed meeting could begin at 4:00 p.m. due to other meetings that evening. He noted the meeting should be short and will only include one item.

**COUNCIL COMMENTS**

Councilmember McLaughlin thanked Planning and Neighborhoods Director Hannah Jacobson for her work on the housing survey. He noted the surveys will help to determine housing needs, and he asked for everyone to get involved in the process.

Councilmember Post referenced the events taking place in Israel and Gaza, and he shared he has relatives that live there. He noted the conflict is not of the people, it is with the leaders and is a sad situation. He added he hopes all will pray especially for the innocent victims.

Councilmember Smith pointed out violence has come from overseas to the United States and synagogues across the Country are being threatened. He indicated the community needs to be attentive so violence does not spread into our community.

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

Mayor Pro Tem Sheffield noted early voting will begin October 19, 2023 and will end November 4, 2023. She stated citizens should reach out to the Boards of Elections with any questions they may have.

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

(a) 13<sup>th</sup> Annual BlockWork

Mayor Pro Tem Sheffield announced the 13<sup>th</sup> annual BlockWork neighborhood improvement project will take place Saturday, October 28<sup>th</sup> in the 200 and 300 blocks of Lloyd Street in the West End neighborhood. The Community Appearance Commission and Housing Advocacy Commission are seeking volunteers to help with exterior home repairs. T-shirts, gloves, meals and drinks will be provided. Sign up to volunteer by visiting [www.salisburync.gov/Blockwork](http://www.salisburync.gov/Blockwork) by Friday, October 20th.

(b) Salisbury Sculpture Show

Mayor Pro Tem Sheffield announced the Salisbury Sculpture Show, hosted by the Public Art Commission is returning for its 16<sup>th</sup> year. Artists are encouraged to submit their best outdoor sculptures to be in the show. Neighborhoods can apply to host a sculpture by completing an online application at [www.salisburync.gov/NeighborhoodSculpture](http://www.salisburync.gov/NeighborhoodSculpture). The deadline for both artists and neighborhoods is December 22, 2023. For more information or to apply visit [www.salisburync.gov/Sculptureshow](http://www.salisburync.gov/Sculptureshow).

(c) City Council Meeting

Mayor Pro Tem Sheffield announced the next regularly scheduled meeting of City Council will be held Wednesday, November 8, 2023 at 6:00 p.m. The meeting has been rescheduled to accommodate the November 7 election.

Mayor Pro Tem Sheffield read a statement from Council regarding the events taking place throughout the world.

**ADJOURNMENT**

Motion to adjourn the meeting was made by Councilmember Smith. Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

The meeting was adjourned at 7:31 p.m.

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Karen Alexander, Mayor

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Connie B. Snyder, City Clerk

DRAFT

Salisbury, North Carolina  
October 25, 2023

## **SPECIAL 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 4:00 p.m.

## **ADOPTION OF THE AGENDA**

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

## **NEW FIRE APPARATUS**

Fire Chief Bob Parnell and Finance Director Wade Furches addressed Council regarding the purchase of new fire apparatus and issuing a purchase order in the amount of \$4,284,037. City Manager Jim Greene noted a price increase from the manufacturer is expected in November. He stated the purchase was included in the budget, but the City received state grant funding that could possibly be used to pay for the fire apparatus rather than financing them.

Chief Parnell noted the fire apparatus will be purchased from Pierce Fire Apparatus and includes two engine trucks and one ladder truck. He reviewed the specifications for the trucks, and he indicated the trucks meet National Fire Protection Association and Environmental Protection Agency standards.

Chief Parnell pointed out the trucks to be replaced are the three oldest trucks in the fleet, which are 1996, 1998, and 2002 models. Mr. Greene commented the City is getting excellent use out of its trucks, and he thanked the in-house mechanics who service them.

Mr. Furches stated the total cost for the three fire trucks is \$4,284,037 and the company offered the City a \$500,000 prepayment discount. He noted staff recommends investing the money instead of prepayment, and he pointed out the delivery time for the new fire trucks is approximately 47 months and the City would incur some risk with the prepayment option. He pointed out \$3.8 million was included in the FY2023-2024 budget which is less than the current price. He added the City received a state grant for public safety which could possibly be used to pay for the fire trucks, but staff has not yet received the grant terms. He explained the current plan is to purchase the fire trucks through financing and to determine if grant funding is a potential option. Mr. Greene thanked staff for working with the state regarding the grant.

Councilmember Post questioned if staff could offer to pay cash for the fire trucks when the grant funding is received. Mr. Furches indicated the prepayment option is good for 30 days.

Mayor Alexander asked what will happen to the older trucks. Chief Parnell explained older fire trucks are sold for scrap and the 2002 model truck could be sold online.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to approve the purchase of new fire apparatus and to issue a purchase order in the amount of \$4,284,037. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

## **ADJOURNMENT**

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

The meeting was adjourned at 4:18 p.m.

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Karen Alexander, Mayor

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Connie B. Snyder, City Clerk

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Salisbury Parks and Recreation Department

Name of Presenter(s): Sam Wilborn

**Requested Agenda Item:** Adopt a Budget ORDINANCE Amendment Appropriating a Parks & Recreation sponsorship/donation to the FY2023-2024 budget in the amount of \$6249.00 to help with expenses related to the Summer Concert Series at Bell Tower Green.

**Description of Requested Agenda Item.** The City has received a sponsorship/donation in the amount of \$6249.00 to help with expenses related to the Summer Concert Series at Bell Tower Green. NC General Statutes require that the City appropriate these revenues so that they can be legally spent.

**Fiscal Note:** *(If fiscal note requires approval by the finance department because the item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at the bottom of the form and provide supporting documents)*

**Action Requested of Council for Agenda Item:** Adopt a Budget Ordinance amending the FY2023-2024 Budget in the General Fund of \$6249.00 for additional revenue. *(Please note if the item includes an ordinance, resolution, or petition)*

**Contact Information for Group or Individual:** Sam Wilborn 704-638-2139

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

## FINANCE DEPARTMENT INFORMATION:

\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Budget Manager Signature

**\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\***

**For Use in Clerk's Office Only**

# Salisbury City Council Agenda Item Request Form

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Approved

Delayed

Declined

**Reason:**

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

Be it ordained by the City Council of the City of Salisbury, North Carolina, as follows:

Section 1. The City has received a sponsorship/donation in the amount of \$6,249.00 for expenses related to the Summer Concert Series at Bell Tower Green. NC General Statutes require that the City appropriate this revenue so that it can be legally spent.

Section 2. That the 2023-24 Budget Ordinance of the City of Salisbury, adopted on June 20, 2023 is hereby amended as follows:

(a) That the following General Fund line items be amended as follows:

- |     |   |                    |
|-----|---|--------------------|
| (1) | Increase line item 010-611-000-5131.05<br>BTG Recreation Programs         | <u>\$ 6,249.00</u> |
| (2) | Increase line item 010-000-000-4515.04<br>Recreation Grants and Donations | <u>\$ 6,249.00</u> |

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage.

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Transportation Department

Name of Presenter(s): Wendy Brindle, Transportation Director

Requested Agenda Item: Council to consider permanently closing an unimproved portion of Second Street located off the 100 block of Carolina Avenue in accordance with NCGS 160A-299

## Description of Requested Agenda Item:

The Transportation Department has received a petition to permanently close an unimproved portion of Second Street, located off the 100 block of Carolina Avenue. The request meets standards of General Statute 160A-299. Council may proceed by adopting a Resolution declaring their intent to close the street and setting a public hearing for December 5, 2023. City Staff will advertise the public hearing for four (4) consecutive weeks in the Salisbury Post, post signs at the site, and notify adjoining property owners by certified mail.

Attachments:  Yes  No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

There will be no fiscal impact regarding this request

**Action Requested of Council for Agenda Item:** *(Please note if item includes an ordinance, resolution or petition)*

Adopt a Resolution declaring City Council's intent to permanently close an unimproved portion of Second Street, located off the 100 block of Carolina Avenue, and set a public hearing for December 5, 2023

## Contact Information for Group or Individual:

Wendy Brindle, Transportation Director  
704-638-5201/wbrin@salisburync.gov

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

## FINANCE DEPARTMENT INFORMATION:

\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Budget Manager Signature

***\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\****

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**For Use in Clerk's Office Only**

**Approved**

**Declined**

**Reason:**

**RESOLUTION PERTAINING TO THE PROPOSED CLOSING OF AN UNIMPROVED PORTION OF SECOND STREET LOCATED OFF THE 100 BLOCK OF CAROLINA AVENUE**

WHEREAS, Salisbury City Council will hold a public hearing Tuesday, December 5, 2023 during its 6:00 p.m. meeting to consider a proposal to close the following:

*Beginning at a bent 1" iron pipe on the south side of Carolina Boulevard, the northeast corner of Lot 1 of Carolina Place, Book of Maps 9995 Page 5125, belonging to Makson, Inc., (deed book 1414 page 754), thence with the margin of Carolina Boulevard S 86° 39' 16" E, 39.94' to a point, the north west corner of Makson, Inc. (deed book 1428 page 505), thence with Makson's line S 03° 11' 37" W, 200.00' to a new #5 rebar set at Bobby L. Wagoner's north west corner, thence a new line crossing Second Street, N 86° 49' 36" W, 41.12' to a new #5 rebar in the eastern line of Samantha Jeffries (deed book 1402 page 309), thence with her line N 03° 23' 11" E, 83.57' to an existing rebar the south east corner of Makson Inc. (deed book 1414 page 754), thence with Makson's line N 03° 37' 54" E, 116.55' to the point and place of Beginning and Being 0.186 Acres as shown on Survey and Map by Shulenburger Surveying Company, P.A. dated 09/25/2023.*

NOW, THEREFORE, be it resolved that the regularly scheduled December 5, 2023 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 5:00 p.m. on Tuesday, December 5, 2023 by contacting Connie Snyder at [csnyd@salisburync.gov](mailto:csnyd@salisburync.gov) or 704-638-5234. Information on accessing the meeting will be available on the City's website at [www.salisburync.gov](http://www.salisburync.gov). The meeting can also be viewed on the City's livestream at [www.salisburync.gov/webcast](http://www.salisburync.gov/webcast) or the City's Facebook account.

This 8th day of November, 2023.

CITY COUNCIL OF THE CITY OF SALISBURY,  
NORTH CAROLINA

By: Connie B. Snyder, NCCP  
City Clerk



### PETITION TO CLOSE A STREET OR ALLEY

We the undersigned, being the owners of real property adjoining a street or alley as shown on Tax Map 071, do hereby petition the City Council of Salisbury, North Carolina to permanently close a street or alley pursuant to the North Carolina General Statutes, Section 160A-299. The street or alley to be closed can be generally described as follows:

A 40 ft wide unopened right-of-way off of the 100 block of Carolina Avenue as shown in the attached exhibit

GS 160A-299 may be found on the internet at:  
[www.ncga.state.nc.us/Statutes/GeneralStatutes/HTML/BySection/Chapter\\_160A/GS\\_160A-299.html](http://www.ncga.state.nc.us/Statutes/GeneralStatutes/HTML/BySection/Chapter_160A/GS_160A-299.html)

By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must contain the signatures of all owners of property adjacent to the street or alley.
2. The petition must include a recorded map or preliminary survey showing the portion of street or alley to be closed. Any preliminary survey shall be prepared for recordation after consultation with the City. A tax map is not sufficient.
3. The petition must include a description prepared from a survey or recorded map. A metes and bounds description is required.
4. The petition must include a filing fee in the amount of \$500.00.
5. If public or private utilities are located in the street or alley, the map and description must provide acceptable easements for the utilities. Any costs associated with preparing the easements will be the responsibility of the petitioner(s).
6. If curb and gutter must be replaced to close the street or alley, the cost of the curb and gutter will be the responsibility of the petitioner(s).
7. It typically takes approximately eight weeks for the closing to become official.

Makson Inc.	<i>Rae Melle VP</i>	071B037	10/26/23
Printed Name	Signature	Tax Map & Parcel	Date
Makson Inc.	<i>Patricia Hill VP</i>	071 174	10/26/23
Printed Name	Signature	Tax Map & Parcel	Date
Samantha Jefferies	<i>Samantha Jefferies</i>	071B043	10/26/23
Printed Name	Signature	Tax Map & Parcel	Date
Bobby Lee Wagoner	<i>Bobby Lee Wagoner</i>	071 168	10/26/23
Printed Name	Signature	Tax Map & Parcel	Date

Contact Person Robert Sifford Telephone Number 704-239-0470

(Attach additional petition forms if needed)

Form Revised 11-01

CITY OF SALISBURY

P.O. BOX 479, SALISBURY, NORTH CAROLINA 28145-0479



N

1 inch = 100 feet

CAROLINA BLVD

BILLIE HOPE DR

S JAKE ALEXANDER BLVD

**ROW to be closed**

071 021

071 022

200.68

201.26

071 176

071 024

071 201

200.04

071 183

071 025

200.13

120

150

60

90

70

70

272.1

071B032

071B033

071B034

071B035

071B036

071B037

125

150

100

(70)

(60)

(60)

(59)

(60)

(91)

200

071 174

200

071 033

200

071 034

200

071B038

071B039

071B040

071B041

071B042

071B043

(74)

125

150

100

(71)

(60)

(60)

(60)

(60)

(25)

290

BILLIE HOPE DR

**ROW to be closed**

071B049

071B048

071B047

071B046

071B045

071B044

(73)

071 168

071 037

178

(72)

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400

200.26

178

(73)

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215.17

071 177

071 036

197

(72)

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(113)

100

100

50

50

150

100

100

300

071 203

160

160

071 139

155

071 138

155

071 137

165

071 136

165

071 145

145

065 072

065 069

100

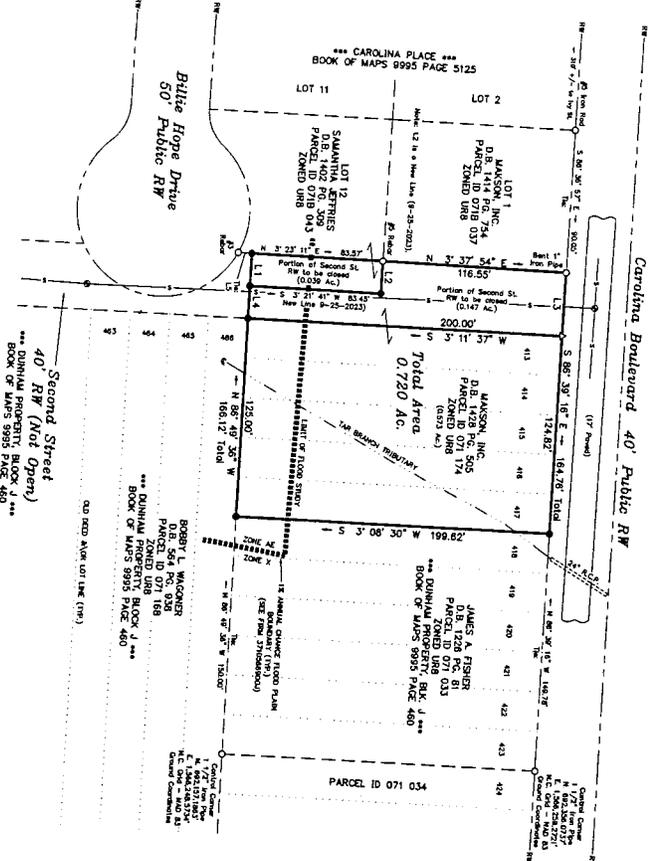
100

300



VICINITY MAP NOT TO SCALE

ROWAN COUNTY  
 FILED FOR REGISTRATION AT 6:00 P.M.  
 9993 PAGE 1  
 J. E. BRINDE, REGISTER OF DEEDS  
 ASSISTANT/DEPUTY



N.C. GRID (NAD 83) NORTH FROM  
 BOOK OF MAPS 9995 PAGE 5125

Line	Bearing	Distance
L1	N 88° 48' 34" W	20.52'
L2	S 88° 39' 18" E	28.84'
L3	S 89° 39' 18" E	28.84'
L4	N 5° 23' 11" E	20.52'
L5	N 5° 23' 11" E	20.52'

I, RICHARD L. SHULDSBERGER, PROFESSIONAL LAND SURVEYOR, L-2687 N.C., CERTIFY THAT THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STATUTES AND REGULATIONS OF MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

RICHARD L. SHULDSBERGER, P.L.S.

9/25/23

DATE

SUBDIVISION ADMINISTRATOR

DATE

CERTIFICATION OF APPROVAL:  
 I HEREBY CERTIFY THAT THE PLAT SHOWN QUALIFIES AS AN EXCEPTION PLAT AS DEFINED IN SECTION 1511A OF THE SURVEYOR LAND DEVELOPMENT ORDINANCE AND THAT THE PLAT IS IN ACCORDANCE WITH THE ORDINANCE AND HAS BEEN APPROVED BY THE CITY OF SALISBURY FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS OF ROWAN COUNTY.

**LEGEND**

- Wetlands
- Utility Pole
- Easement (as shown)
- New Iron (as shown)
- Point (foot and)
- Nail
- Centimiles
- Right-of-Way

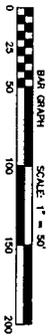
STATE OF NORTH CAROLINA  
 COUNTY OF ROWAN  
 REVIEW OFFICER OF ROWAN COUNTY,  
 I CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION  
 IS ATTACHED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.



I, RICHARD L. SHULDSBERGER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. D.B. (see references) AS BOUND FROM THE SURVEY OF THE CITY OF SALISBURY AND AS BOUND FROM THE SURVEY OF THE CITY OF SALISBURY AND THAT THE PLAT OF PRECISION AS CALICULATED IS 1:10,000+1 AND THIS DRAWING WAS MADE IN ACCORDANCE WITH S.S. 17-250 AND SEAL THIS 25th DAY OF SEPTEMBER, 2023.

PROPERTY SURVEY FOR:  
**Makson, Inc.**  
 SCALE: 1" = 50'  
 DATE: 9-25-2023  
 REFERENCE: Parcel ID 071.14  
 Book 9993, Page 508  
 Book 9995, Page 5125

COUNTY AND CITY OF ROWAN SURVEYING COMPANY, P.A. (Form # C-1880)  
 614 N. MAIN ST., SUITE A, SALISBURY, N.C. 27154, PHONE: 704-653-1880



# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Transportation Department

Name of Presenter(s): Wendy Brindle, Transportation Director

Requested Agenda Item: Request from AT&T for encroachment on Shay Crossing Road, Willamette Drive and Bluebonnet Drive

Description of Requested Agenda Item: AT&T requests approval of installation of fiber along Shay Crossing Road, Willamette Drive and Bluebonnet Drive, to serve phase 2 of Shay Crossing . The proposed project includes 1,582 ft. of fiber installed through trenching and boring with 2” PVC and 1.5” innerduct. City Council approval of encroachments is required by Section 11-24 (27) of the City Code.

Staff review included input from Transportation, Public Works and Salisbury-Rowan Utilities. Staff recommends approval subject to the following conditions:

- All improvements and restoration shall be made at no expense to the City.
- A \$5,000 bond will be required prior to construction within the City Limits.
- A pre-construction meeting will be required prior to construction.
- On-site inspection will be required during all critical street crossings.
- Any markers for underground facilities shall be flush with the ground.
- Lane closures shall be coordinated through the Transportation Department.
- AT&T shall participate with the State’s one-call locating program, and appropriate locater tape shall be installed to facilitate future field location. SRU requires that all new facilities maintain a clear horizontal separation of at least 48” (measured edge to edge) from existing utilities, and a clear vertical separation of at least 24” from existing utilities. All crossings must be identified/potholed prior to excavation.
- Engineering “as-built” plans shall be maintained by AT&T and made available to the City upon request.
- If the City (or State) makes an improvement to the public Right-of-Way, AT&T facilities shall be adjusted or relocated at no expense to the City (or State).

Attachments:  Yes  No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

There is no budgetary impact on this item.

**Action Requested of Council for Agenda Item:** *(Please note if item includes an ordinance, resolution or petition)*

City Council to consider approval of a right-of-way encroachment for installation of underground fiber optic cable by AT&T within the rights-of-way of Shay Crossing Road, Willamette Drive and Bluebonnet Drive per Section 11-24 (27) of the City Code.

# Salisbury City Council Agenda Item Request Form



**Contact Information for Group or Individual:** Wendy Brindle 704-638-5201, Barry King 704-216-2712

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

## FINANCE DEPARTMENT INFORMATION:

\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Budget Manager Signature

**\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\***

## For Use in Clerk's Office Only

**Approved**

**Delayed**

**Declined**

**Reason:**

October 18, 2023

Reference: AT&T NORTH CAROLINA REFERENCE #: A02KRNK

Dear Mr. Barry King :

Please reference the attached plan drawings to encroach on the City of Salisbury rights-of-ways.

**What type of work will be performed?**

Placing 1582' of trenched fiber optic cable at a minimum depth of 36", placing 431' of trenched 2" PVC conduit at a minimum depth of 36", placing 149' of trenched 1.5" innerduct at a minimum depth of 36", placing 632' of standard dry bored 1.5" innerduct at a minimum depth of 36", placing 108' of standard dry bored fiber optic cable at a minimum depth of 36", placing (1) 30" x 48" handhole, placing (1) 17" x 30" handhole, and placing (28) 10" x 15" handholes.

**When?**

November 2023

**Where is the work being performed?**

Shay Crossing Rd, Willamette Dr, and Bluebonnet Dr

**Why is this work required?**

To provide service to customers

- **Please notify** Jenna Davis, **Right of Way Specialist** at 919-788-2449 **if you have any questions or concerns regarding this request or via email at:** [att.nc.east.public.row@att.com](mailto:att.nc.east.public.row@att.com)
- **The approval or other correspondence should be addressed to the following:**

Jenna Davis  
AT&T North Carolina  
5715 Glenwood Ave.  
Raleigh, NC 27612

**NOTE: AT&T NORTH CAROLINA WILL ACCEPT A SCANNED COPY OF THE APPROVAL SENT TO THE FOLLOWING EMAIL ADDRESS: [ATT.NC.EAST.PUBLIC.ROW@ATT.COM](mailto:ATT.NC.EAST.PUBLIC.ROW@ATT.COM)**

**AN ORIGINAL BY MAIL IS NOT NECESSARY.**

Sincerely,

*Jenna Davis*

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Jenna Davis  
Manager – Right of Way

ADDRESS: SHAY CROSSING RD, SALISBURY NC  
 PROJECT NAME: A02KRNK



SITE LOCATION

CONTACTS

**AT&T ENGINEER**  
**JEFFERY WOOD**  
 JW0463@ATT.COM  
 704-695-5091

**OSP DESIGNER**  
**BRYCE MARSHALL**  
 BM3550@ATT.COM  
 919-788-2449

SITE INDEX

- 1 - COVER SHEET/SITE LOCATION
- 2 - LEGEND
- 3 - GENERAL NOTES
- 4 - OSP PROJECT SHEET
- 5 - OSP PROJECT SHEET
- 6 - OSP PROJECT SHEET
- 7 - OSP PROJECT SHEET

SCOPE OF WORK:

PLACE NEW UNDERGROUND FIBER ALONG SHAY CROSSING RD, WILLAMETTE DR, AND BLUEBONNET DR. PLACE NEW HANDHOLES.



3					AS-BUILT
2					REVISION #
1	10/18/2023	JW	BM		ORIGINAL
NO.	DATE	ENG DESIGN	DRAFTING		COMMENT
SHEET TITLE : COVER SHEET					
PROJECT MANAGER:					
PROJECT ENGINEER: JEFFERY WOOD					
PROJECT NUMBER: A02KRNK					
DESCRIPTION: SHAY CROSSING RD, SALISBURY NC					
DRAWING NAME: PLANS ATT A02KRNK 20231018.dwg					
CONFIDENTIAL/PROPRIETARY SHEET: 1 OF 7					

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Transit Department

Name of Presenter(s): Rodney Harrison, Transit Director

**Requested Agenda Item:** Council to consider ratifying the purchase of two (2) all-electric Twenty-Five Foot Light-Duty ADA accessible replacement vehicles with charging stations.

**Description of Requested Agenda Item:** On June 7, 2022, Council approved a budget amendment appropriating funds from the North Carolina Volkswagen Settlement Program grants to purchase two all-electric light duty transit vehicles. However, staff subsequently realized that it did not request that Council approve awarding the purchase contract for the electric vehicles to the vendor, Interstate Transportation Sales & Service, Inc. Since the purchase order has been approved and sent to the vendor and vehicles are currently being produced, staff is asking that Council ratify the purchase since the clear intent of the June action was to appropriate these funds and award this contract. Council approved appropriating \$688,298 for the purchase and the purchase order is in the amount \$643,269.. All purchasing requirements were met.

Attachments:  Yes  No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

North Carolina Volkswagen Settlement Program grant funding has been awarded to purchase two (2) all electric Twenty-Five Foot Light-Duty ADA accessible replacement vehicles. There is no local share for the awarded funding.

### Action Requested of Council for Agenda Item:

Council to consider ratifying the issuance of a purchase order to Interstate Transportation Sales & Service, Inc., in an amount not to exceed \$688,298 to purchase two all-electric vehicles and related charging stations and authorizing the City Manager to execute any documents required to approve the purchase.

Contact Information for Group or Individual: Rodney Harrison, Transit Director 704-638-4498

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

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**FINANCE DEPARTMENT INFORMATION:**

# Salisbury City Council Agenda Item Request Form

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\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Budget Manager Signature

***\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\****

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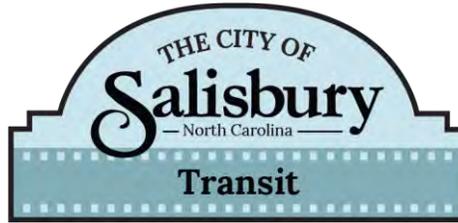
**For Use in Clerk's Office Only**

**Approved**

**Delayed**

**Declined**

**Reason:**



## MEMORANDUM

To: Salisbury City Council  
From: Rodney Harrison, Transit Director  
Subject: Two (2) All-electric Twenty-Five Foot Light-Duty ADA accessible Vehicles  
Date: November 1, 2023

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On June 7, 2022, Council approved a budget amendment appropriating funds from the North Carolina Volkswagen Settlement Program grants to purchase two all-electric light duty transit vehicles. However, staff subsequently realized that it did not request that Council approve awarding the purchase contract for the electric vehicles to the vendor, Interstate Transportation Sales & Service, Inc. Since the purchase order has been approved and sent to the vendor and vehicles are currently being produced, staff is asking that Council ratify the purchase since the clear intent of the June action was to appropriate these funds and award this contract.

Further, the vendor has recently informed the City that there is a delay in sourcing domestic EV batteries and has requested that the City allow the vendor to source other EV batteries. As background, the City is using North Carolina Volkswagen Settlement Program grant funds. These are not federal funds so federal funding requirements do not apply. When the City issued the bid, however, federal funding requirements were included to allow flexibility in the event grant funds did not cover the entire cost and the City had to supplement with federal funds. Again, federal funds are not being used so federal funding requirements would not apply.

One of the federal funding requirements that was included in the bid documents is a "Buy America" clause that imposes certain requirements to purchase products from domestic providers. The vendor has informed the City that there is an industry-wide shortage of Buy America-compliant EV batteries and sourcing these batteries will delay production and delivery until October 30, 2024. The vendor has also informed the City that sourcing non-compliant EV batteries is not an issue, and that vehicles using those batteries could be produced and delivered by February 15, 2024.

It is critical that the City replace its aging fleet, keep its fleet in a state of good repair while reducing the cost to maintain outdated vehicles, lower the average age of its fleet, and improve the safety of its drivers and riders. Based on the substantial difference in delivery date, the fact that the Buy America requirement is only a requirement if using federal funds (which are not being used), the fact that the shortage is not specific to this vendor but is rather industry-wide, and the fact that even the federal Buy America allows waivers for various reasons (including insufficient supply), the City intends to remove the federal requirement and allow the vendor to source EV batteries from whatever source will allow the quickest production and delivery of these EV vehicles.

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Salisbury-Rowan Utilities

Name of Presenter(s): Jason Wilson

Requested Agenda Item: Kerns Ridge Subdivision Sewer Infrastructure Agreement

**Description of Requested Agenda Item:** Garden Street Communities Southeast, LLC is developing a residential subdivision known as Kerns Ridge Subdivision. The development will be located on one parcel of property totaling approximately 129.17 acres near East Spencer, bordered to the north by Interstate 85 and to the south by Crane Creek. Salisbury-Rowan Utilities (SRU) has determined that providing sewer service to the proposed development requires sewer improvements ancillary to the development; specifically, upgrades to SRU's Crane Creek Lift Station.

In lieu of constructing the required improvements, the developer has requested, and SRU has agreed, that Garden Street Communities Southeast be allowed to pay SRU the estimated value (\$77,000) of the required improvements and allow SRU to complete the required improvements. The amount was calculated by the developer's engineer based on the additional capacity needed at the lift station impacted by the proposed development.

Attachments:  Yes  No

Fiscal Note: N/A

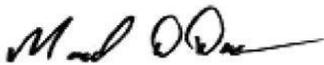
**Action Requested of Council for Agenda Item:** Council to consider authorizing the City Manager to execute an agreement with Garden Street Communities Southeast, LLC for the Kerns Ridge Subdivision sewer infrastructure improvements.

**Contact Information for Group or Individual:** Jason Wilson, Assistant Utilities Director  
704-216-7553, jason.wilson@salisburync.gov

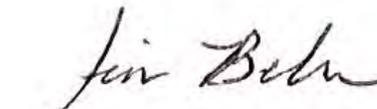
**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

## FINANCE DEPARTMENT INFORMATION:



Finance Manager Signature



Department Head Signature



Budget Manager Signature

# Salisbury City Council Agenda Item Request Form



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***\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\****

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**For Use in Clerk's Office Only**

**Approved**

**Delayed**

**Declined**

**Reason:**

**STATE OF NORTH CAROLINA  
COUNTY OF ROWAN**

**AGREEMENT FOR SEWER UTILITY COSTS BETWEEN THE CITY OF SALISBURY,  
NORTH CAROLINA AND GARDEN STREET COMMUNITIES SOUTHEAST, LLC.**

This Agreement for Sewer Utility Costs (the "**Agreement**"), made this the \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between the **City of Salisbury**, a North Carolina municipal corporation (the "**Salisbury**"), and **Garden Street Communities Southeast, LLC.**, a North Carolina limited liability company (the "**Developer**"), its successors or assigns, (collectively, the "**Parties**").

For and in consideration of the mutual promises set forth in this Agreement, the Parties do mutually agree as follows:

**1. Acknowledgments**

- a. Developer is developing a residential subdivision known as the Kerns Ridge Subdivision (the "Development"). The Development will be located on one parcel of property totaling approximately 129.17 acres near East Spencer, North Carolina, bordered to the north by Interstate 85 and to the south by Crane Creek. The parcel is more particularly identified as Rowan County Parcel ID no. 057-174.
- b. Salisbury owns and operates a regional water and sewer utility known as "Salisbury-Rowan Utilities" which serves the area in the vicinity of the Development.
- c. The Developer desires to install sewer main extensions to serve the proposed Development.
- d. Salisbury has determined that providing sewer service to the Development requires sewer improvements ancillary to the Development; specifically, upgrades to the Salisbury pump station known as Crane Creek Lift Station.
- e. In lieu of constructing the required improvements itself, Developer has requested, and Salisbury has agreed, that Developer be allowed to pay Salisbury the estimated value of the required improvements and allow Salisbury to complete the required improvements.
- f. Developer acknowledges and agrees that the estimated value of the required improvements shall be paid before Salisbury will issue construction permits.
- g. This Agreement is authorized pursuant to G. S. § 162A-201(9)e.
- h. Salisbury may or may not elect to pay for oversizing beyond that level of service to accommodate the Development in order to accommodate additional potential development within the area.

2. **Developer obligations.** In consideration of the City's obligations in paragraph 3, Developer agrees to the following:

- a. **Payment.** In consideration of Salisbury's obligation in paragraph 3, and pursuant to G. S. § 162A-201(9)e., Developer agrees to pay Salisbury the lump-sum amount of **Seventy Seven Thousand and 0/100 Dollars (\$77,000.00)** for improvements at the referenced pump station as shown on **Exhibit A**, which is attached and incorporated by reference (the "Payment"). The Payment shall be credited to any system development fee charged or to be charged by Salisbury.
- b. **Timing of Payment.** The Payment is due upon the later of: (a) the Developer's acquisition of Development, or (b) Developer's application for construction permits. Salisbury shall not be required to issue construction permits until receiving the full Payment.

3. **Salisbury obligations.** In consideration of Developer's obligations in paragraph 2, Salisbury agrees to the following:

- a. **Sewer improvements.** Salisbury agrees to construct the sewer infrastructure improvements required by the Development. In its sole discretion, Salisbury may elect to construct the minimum infrastructure improvements required by the Development, or may instead elect to use the Payment toward making more substantial infrastructure improvements.
- b. **Reservation of capacity.** Developer has applied to Salisbury for a construction permit that has been assigned **Permit No. S-2022-19**. The application, including the sealed construction drawings on which it is based, is incorporated into this Agreement by reference (collectively, the "Construction Permit"). Pursuant to the Construction Permit, Salisbury allocates and reserves a wastewater capacity of 49,920 gallons per day for the Development.

4. **Notice.** Any notice allowed or required by this Agreement shall be addressed to the following Project Contacts:

Salisbury-Rowan Utilities  
c/o Jason Wilson  
1 Water Street  
Salisbury, NC 28144

Garden Street Communities Southeast, LLC.  
c/o Bryan Adams, Manager  
100 W. Garden Street, 2<sup>nd</sup> Floor  
Pensacola, FL 32502

Either Party may change the Project Contact by providing notice to the other party in writing.

5. **Miscellaneous.**

- a. **Time of the essence.** The Parties acknowledge that timely compliance with their duties under this Agreement is essential to this Agreement.

- b. No waiver. No waiver by either party of any one or more defaults by the other in the performance of any provisions of this Agreement shall operate or be construed as a waiver of any future default(s) whether of a like or different character.
- c. Assignment. This Assignment shall be binding upon and shall inure to the benefit of Salisbury and Developer, their respective heirs, successors, legal representatives and permitted assigns. Developer may assign its rights and obligations hereunder, in which case, such assignment shall relieve Developer of its obligations hereunder, and the assignee of Developer shall accede to the rights and obligations of Developer hereunder.
- d. Amendments in writing. This Agreement may be amended only in a written document signed by authorized representatives of both Parties.
- e. Governing law. North Carolina law will govern the interpretation and construction of the Agreement.
- f. Entire agreement. This Agreement constitutes and expresses the entire agreement and understanding between the Parties concerning its subject matter. This Agreement supersedes all prior and contemporaneous discussions, promises, representations, agreements and understandings relative to the subject matter of this Agreement. To the extent there may be any conflict between a provision of this Agreement and a provision of a document incorporated by reference herein, the terms of this Agreement will control.
- g. Safe harbor. The Parties acknowledge and agree that this Agreement is intended to meet and comply with the System Development Fee requirements found in Article 8 of Chapter 162A of the North Carolina General Statutes and all present and future valid and applicable laws, rules, regulations, and statutes of any governmental authority having jurisdiction. To the extent the terms of this Agreement require amendment to comply with any applicable law, rule, regulation, or statute, the Parties agree to work in good faith to effect such amendment.
- h. Severability. If any provision of this Agreement shall be declared invalid or unenforceable and the Parties do not reach an agreement in writing that the remainder of the Agreement shall continue in full force and effect, then the Parties will work in good faith to negotiate and enter into an agreement that corrects the invalid or unenforceable provision and that faithfully implements the intent of this Agreement.
- i. Counterparts and execution. This Agreement may be executed in any number of counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. The Parties agree that computer scanned and/or faxed signatures or copies of this Agreement will have the same validity and force as an "original."
- j. Authority to enter Agreement. The person(s) executing this Agreement on

behalf of the Parties have authority to do so as an official, binding act of the respective Party.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement as of the day and year first above written.

**CITY OF SALISBURY**  
A North Carolina Municipal Corporation

By: \_\_\_\_\_  
Jim Greene, Jr., City Manager

ATTEST:

\_\_\_\_\_  
Connie Snyder, City Clerk

**GARDEN STREET COMMUNITIES SOUTHEAST, LLC.**  
A North Carolina limited liability company

By: \_\_\_\_\_  
Patrick Green, V.P. of Operations

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

I, Theresa Butler, a Notary Public of the County and State aforesaid, do hereby certify that Michael Patrick Green personally came before me this day and acknowledged that he/she is V.P. OF OPERATIONS of Garden Street Communities Southeast, LLC., a North Carolina limited liability company, and that he/she by authority duly given signed the foregoing instrument as an act of the corporation.

Witness my hand and official and official stamp or seal, this the 19<sup>th</sup> day of October, 2023.



**THERESA BUTLER**  
Notary Public  
State of Florida  
Comm# HH297474  
Expires 8/4/2026

# EXHIBIT A



W.K. Dickson & Co., Inc.  
 Community Infrastructure Consultants  
 1213 W. Morehead St., Ste. 300  
 Charlotte, NC 28208  
 Phone (704) 334-5348 Fax (704)-334-0078

## Opinion of Probable Costs

**Project:** Crane Creek PS Upgrade for SRU

**WKD No:** TBD

**Pg:** 1 of 1

**Owner:** Salisbury-Rowan Utilities (SRU)  
 Salisbury, North Carolina

**Date:** 10/07/23

ITEM	DESCRIPTION	UNIT	EST QTY	UNIT COST	TOTAL
1	Crane Creek 50 HP PS Impellers	EA	2	\$ 17,500.00	\$ 35,000.00
	<b>Subtotal</b>				\$ 35,000.00
	<b>Contingency</b>		approx.	30%	\$ 12,000.00
	<b>Total Construction</b>				\$ 47,000.00
	<b>Planning</b>				\$ -
	<b>Surveying</b>				\$ -
	<b>Engineering Design</b>				\$ 7,500.00
	<b>Easements &amp; Legal</b>	EA	0	\$0.00	\$ -
	<b>Permitting</b>				\$ 7,500.00
	<b>Bidding</b>				\$ -
	<b>Construction Administration</b>				\$ 7,500.00
	<b>Construction Observation</b>				\$ 7,500.00
	<b>Legal / Land Acquisition</b>				\$ -
	<b>Preliminary Total Opinion of Probable Costs</b>				<b>\$ 77,000.00</b>

WK Dickson's opinion of probable costs are made on the basis of WK Dickson's experience and qualifications and represent WK Dickson's best judgment as a professional generally familiar with the construction industry. Since WK Dickson has no control over the cost of labor, materials, equipment, or services furnished by others, over the contractor's methods of determining prices, or over competitive bidding or market conditions, WK Dickson cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from estimates of probable costs prepared by WK Dickson.

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Sada Stewart Troutman, Downtown Development

Requested Agenda Item: Adopt a Budget Ordinance Amendment appropriating donated funds in the FY 2023-2024 budget in the amount of \$1,158 for event support for College Night Out.

Description of Requested Agenda Item: The City (Downtown Development) received a donation in the amount of \$1,158 for support for College Night Out, a Downtown event hosted by Downtown Development. This money was donated from Downtown Salisbury, Inc.

Attachments:  Yes  No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)* Funds have been received and deposited for this appropriation.

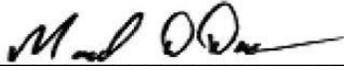
Action Requested of Council for Agenda Item: Adopt a Budget Ordinance amending the FY2023-2024 Budget.

Contact Information for Group or Individual: Sada Stewart Troutman, 704-638-5239

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

## FINANCE DEPARTMENT INFORMATION:

  
Finance Manager Signature

  
Department Head Signature

  
Budget Manager Signature

**\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\***

For Use in Clerk's Office Only

# Salisbury City Council Agenda Item Request Form

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Approved

Delayed

Declined

**Reason:**

AN ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE  
OF THE CITY OF SALISBURY, NORTH CAROLINA TO  
APPROPRIATE COLLEGE NIGHT OUT DONATIONS

Be it ordained by the City Council of the City of Salisbury, North Carolina, as follows:

Section 1. Appropriate various donations for College Night Out.

Section 2. That the 2023-2024 Budget Ordinance of the City of Salisbury, adopted on June 20, 2023, is hereby amended as follows:

(a) That the following General Fund line items be amended as follows:

- |     |  |          |
|-----|--|----------|
| (1) | Increase line item 010-000-000-4821.10<br>General Fund Donations | \$ 1,158 |
| (2) | Increase line item 010-496-000-5450.28<br>Special Events         | \$ 1,158 |

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage.

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Transportation Department

Name of Presenter(s): Wendy Brindle, Transportation Director

Requested Agenda Item: Shay Crossing Phase 2

### Description of Requested Agenda Item:

The final plat for Shay Crossing, Phase 2, was approved by City staff on July 21, 2023. The developer has requested that City Council accept the streets for public maintenance. City staff have been working with the developer to address concerns related to the condition of the streets. To help address concerns, the developer has agreed to enter into an agreement related to maintenance of the roads until 85% of the homes (49 homes) in Phase 2 are constructed and occupied. The same agreement format, approved by the City Attorney, was used for Phase 1 of Shay Crossing and has been an effective way of handling the concerns.

Therefore, staff recommends that Council authorize execution of the agreement for Shay Crossing Phase 2, adopt an Ordinance establishing stop conditions and accept the following streets for maintenance:

Shay Crossing Road – from Phase 1 to Willamette Drive – 374' (.07 miles)

Bluebonnet Drive – from Phase 1 to Willamette Drive – 253' (.05 miles)

Willamette Drive – from Phase 1 to Phase 3 – 970' (.18 miles)

Streets will qualify for Powell Bill funds in July 2024.

Attachments:  Yes  No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

The public streets will require routine maintenance by the Public Works Department. The cost of maintenance will be partially offset by receipt of Powell Bill funds allocated for the additional mileage.

**Action Requested of Council for Agenda Item:** *(Please note if item includes an ordinance, resolution or petition)*

Council to approved the Developer's Agreement for Shay Crossing Phase 2, accept the streets for maintenance and adopt the attached Ordinance to establish stop conditions

### Contact Information for Group or Individual:

Wendy Brindle, Transportation Director 704-638-5201 or wbrin@salisburync.gov

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

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**FINANCE DEPARTMENT INFORMATION:**

\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Budget Manager Signature

***\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\****

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**For Use in Clerk's Office Only**

**Approved**

**Declined**

**Reason:**

State of North Carolina

County of Rowan

## AGREEMENT FOR SHAY CROSSING PHASE 2

This agreement (the "Agreement"), made on November \_\_, 2023, by and between the **City of Salisbury**, a municipal corporation of the State of North Carolina (herein the "City"), **True Homes, LLC**, a Delaware limited liability company, with its principal office located in Monroe, North Carolina, (herein "True Homes"), and **Dependable Development, Inc.**, a North Carolina corporation with its principal office located in Monroe, North Carolina (herein "Dependable") (True Homes and Dependable Development are collectively the "Developer") (all parties are collectively the "Parties").

In consideration of the mutual covenants contained in this Agreement, the Parties, for themselves, their successors and assigns, hereby acknowledge and agree as follows:

### 1. Acknowledgements.

- a. Dependable Development and True Homes own and are in the process of developing a residential subdivision located in Salisbury, North Carolina, known as Shay Crossing. There are multiple phases planned for Shay Crossing. This Agreement relates only to Phase 2 of Shay Crossing which will be referred to throughout this Agreement as the "Subdivision."
- b. True Homes either owns or is in the process of purchasing all lots in the Subdivision from Dependable Development. Dependable Development is a party to this Agreement and assumes all of the obligations of "Developer" in this Agreement for so long as Dependable Development owns an interest in the Subdivision.
- c. In addition to prior approvals related to the Subdivision, the City gave final plat approval for the Subdivision on July 21, 2023, and said plat is recorded in Map Book 9995, Page 10577 of the Rowan County Registry.
- d. The City's approval of the final plat did not include an obligation for the City to open or maintain the streets in the Subdivision.
- e. In accordance with Sections 15.4 and 4.2 of the City's Land Development Ordinance, the City cannot issue a final certificate of occupancy for any residential homes within the subdivision until the streets are accepted by the City for public maintenance.
- f. Developer has requested that the City accept the streets in the Subdivision for public maintenance.
- g. The City has conducted several inspections of the streets, the most recent inspection having been completed September 27, 2023. The results of that



been maintained as required by this Agreement. Any defects identified shall be promptly repaired by Developer. In the event of a disagreement between the Developer and the City regarding whether Developer has maintained the streets as required by this Agreement, the Parties agree to select a mutually-agreeable third-party engineer to resolve the dispute. Upon Substantial Completion of Construction and compliance with this maintenance obligation, the City shall release the maintenance bond to Developer.

- b. Performance bonds. Developer has or shall provide to the City performance bonds pursuant to Section 4.5 of the City's Land Development Ordinance for required elements of the Subdivision that have not been completed: 1) landscaping elements; 2) sidewalks; and 3) storm water control measure and related infrastructure (SCM). The bonds shall remain in effect until the obligation secured by the bonds has been satisfied. Upon compliance with the terms of this Agreement as it relates to the performance bonds, the City shall release the bonds to Developer.
  - c. One-year warranty period. Beginning on the date of Substantial Completion of Construction, Developer shall provide a one-year warranty for all public infrastructure against defects in workmanship and materials in a form acceptable to the City.
  - d. Additional Asphalt. Upon completion of the 49th lot in the Subdivision (there are a total of 58 lots in the Subdivision), the roads in the Subdivision shall be topped with a final surface course of ¾ inch S4.75A.
5. Assignment. This Agreement may not be assigned except in writing signed by all Parties. Notwithstanding the foregoing, Dependable Development may assign its rights in this Agreement to True Homes, and Dependable Development's obligations under this Agreement shall be assumed by True Homes once all of its interests in any property within the Subdivision are purchased or otherwise assigned to True Homes.
  6. Agreement to run with the land. This Agreement shall run with the land in the Subdivision and shall be to the benefit of the City and its successor and assigns and binding on Developer and its successors and assigns.
  7. Recording. Any Party may record this Agreement or a memorandum in the Rowan County Registry.
  8. Future Phases. It is the intent of the Parties that a similar agreement, or an amendment to this Agreement, will be entered into for Phase 3 of Shay Crossing.
  9. Severability. If any provision of this Agreement shall be declared invalid or unenforceable, the remainder of the Agreement shall continue in full force and effect.
  10. Counterparts and execution. This Agreement may be executed in any number of counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. The Parties agree that computer scanned and/or faxed signatures or copies of this Agreement will have the same validity and force as

an "original."

11. **Authority to enter Agreement.** The person(s) executing this Agreement on behalf of each party has the authority to do so as an official, binding act of each party.

**IN WITNESS WHEREOF**, the Parties have hereunto set their hands and seals the day and year indicated below.

**City of Salisbury**

By: \_\_\_\_\_  
Karen K. Alexander, Mayor

Date: \_\_\_\_\_

Attest: \_\_\_\_\_  
Connie Snyder, City Clerk

**Dependable Development, Inc.**

By:  \_\_\_\_\_  
Johnathan M. McCall, COO  
mccall

Date: 10-27-23

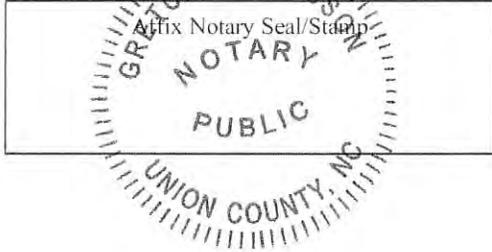
**True Homes, LLC**

By:  \_\_\_\_\_  
Mark W. Boyce, Managing Member

Date: 10-27-2023

STATE OF NORTH CAROLINA, COUNTY OF Union

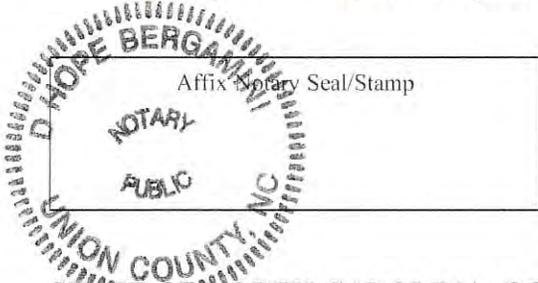
I Gretchen Presson, a Notary of the above state and county, certify that Johnathan m. mccall personally appeared before me on the 27 day of October 2023 and acknowledged to me that he or she signed the foregoing document, in the capacity represented and identified therein.



Gretchen Presson  
Notary Public (Official Signature)  
My commission expires:  
3-29-2025

STATE OF NORTH CAROLINA, COUNTY OF Union

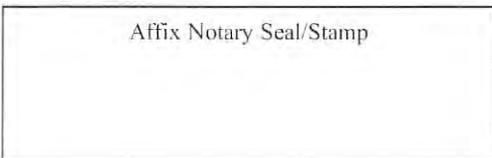
I D Hope Bergamini, a Notary of the above state and county, certify that Mark H. Boyce personally appeared before me on the 27<sup>th</sup> day of October 2023 and acknowledged to me that he or she signed the foregoing document, in the capacity represented and identified therein.



D Hope Bergamini  
Notary Public (Official Signature)  
My commission expires:  
3/26/2026

STATE OF NORTH CAROLINA, COUNTY OF \_\_\_\_\_

I \_\_\_\_\_, a Notary of the above state and county, certify that Karen K. Alexander and Kelly Baker personally appeared before me on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ and acknowledged to me that they are the Mayor and City Clerk, respectively, of the City of Salisbury, North Carolina, and that by authority duly given and as the act of such City, the foregoing document was signed in the City's name by such Mayor and attested by such City Clerk.



\_\_\_\_\_  
Notary Public (Official Signature)  
My commission expires:  
\_\_\_\_\_

**“AN ORDINANCE AMENDING SECTION 13-332, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO STOP SIGNS.**

Be it ordained by the City Council of the City of Salisbury, North Carolina, as follows:

Section 1. That Section 13-332, Article X, Chapter 13 of the Code of the City of Salisbury, be amended as follows:

	<i>Stop on</i>	<i>Before entering</i>
Add	Shay Crossing Rd Bluebonnet Dr	Willamette Dr Willamette Dr

Section 2. That all ordinances, or the parts of ordinances in conflict with this ordinance, are hereby replaced to the extent of such conflict.

Section 3. That this ordinance shall be effective upon adoption by the City of Salisbury from and after its passage.”



William C. Strickland  
REGISTERED PROFESSIONAL ENGINEER  
NO. 44423 STATE OF NORTH CAROLINA



LINE	LENGTH	DIRECTION	AREA
1.1	28.49	N85° 18' 36" W	1.17
1.2	12.91	N79° 27' 39" W	1.13
1.3	24.43	S63° 29' 37" W	1.17
1.4	2.25	S29° 34' 36" E	1.17
1.5	13.54	S14° 34' 44" E	1.16
1.6	42.83	S07° 32' 47" E	1.16
1.7	10.78	S27° 32' 47" E	1.16
1.8	45.91	S01° 57' 41" W	1.16
1.9	14.89	S01° 57' 41" W	1.16
1.10	41.91	S14° 04' 04" W	1.16
1.11	4.23	N71° 42' 47" W	1.16
1.12	29.29	N66° 35' 57" E	1.16
1.13	10.16	N06° 58' 59" W	1.17
1.14	19.23	N02° 09' 54" E	1.16

SHAY CROSSING  
PHASE 1  
B.O.M. 9995, P.G. 9997  
LOTS 1-44 AND 93-95

SHAY CROSSING ROAD  
S.P.C. 616

N.C.O.E. "BULL STAMBOCK"  
N 880997.05  
E 1077068.83  
S 4.0 832011

N.C.O.S. "MYERS"  
N 882598.38  
E 1395596.23  
N.A.G. 832011

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: City Attorney

Name of Presenter(s): City Attorney Graham Corriher

**Requested Agenda Item:** Council to receive an update from staff, hold a public hearing, and consider adopting an Ordinance Approving an Annexation Agreement between the Town of Granite Quarry and the City of Salisbury.

**Description of Requested Agenda Item:** City of Salisbury and Town of Granite Quarry staff have met on numerous occasions over the last year to discuss future growth areas for each municipality along the I-85 Corridor and Stokes Ferry Road. Conversations have focused on service provision, particularly public safety services. Granite Quarry's Board of Alderman and Salisbury City Council previously approved the Non-Annexation Agreement Boundary Maps. Council will receive an update from staff and consider holding a public hearing and adopting an Ordinance Approving an Annexation Agreement between the Town of Granite Quarry and the City of Salisbury.

**Attachments:**  Yes  No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

**Action Requested of Council for Agenda Item:** Council to receive an update from staff, hold public hearing, and consider adopting an Ordinance approving an Annexation Agreement between the Town of Granite Quarry and the City of Salisbury.

**Contact Information for Group or Individual:** City Attorney Graham Corriher (704) 216-2719

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

## FINANCE DEPARTMENT INFORMATION:

\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Budget Manager Signature

# Salisbury City Council Agenda Item Request Form



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***\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\****

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**For Use in Clerk's Office Only**

**Approved**

**Delayed**

**Declined**

**Reason:**

**AN ORDINANCE APPROVING AN ANNEXATION AGREEMENT  
BETWEEN THE TOWN OF GRANITE QUARRY, NORTH CAROLINA, AND  
THE CITY OF SALISBURY, NORTH CAROLINA**

**WHEREAS**, the areas between the corporate limits of the City of Salisbury (“Salisbury”) and the Town of Granite Quarry (“Granite Quarry”) are experiencing urban growth; and

**WHEREAS**, Salisbury and Granite Quarry regularly receive inquiries about the availability of municipal services in these areas, including water, sewer, police, and fire, and related inquiries about which municipality would best provide those services; and

**WHEREAS**, Salisbury and Granite Quarry are able to provide municipal services to all of these urbanizing areas to differing degrees and desire to establish growth areas to enhance orderly planning and to provide certainty to each municipality and to the residents, property owners, and developers in these urbanizing areas about which municipality is best able to provide municipal services; and

**WHEREAS**, G.S. § 160A-58.21 *et seq.* authorizes municipalities to enter into annexation agreements; and

**WHEREAS**, Granite Quarry and Salisbury desire to enter into an annexation agreement; and

**WHEREAS**, pursuant to § G.S. 160A-58.24(c), Salisbury held a public hearing on November 8, 2023, and Granite Quarry is scheduled to hold a public hearing on November 13, 2023, to consider authorizing the adoption of an ordinance approving this Agreement.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, AS FOLLOWS:**

Section 1. The City Council hereby approves the attached “Annexation Agreement” (“Agreement”), authorizes the Mayor to execute the Agreement, and authorizes the City Manager to provide such notices and take such actions as the Agreement contemplates.

Section 2. That this ordinance is conditioned upon Granite Quarry adopting an ordinance approving this Agreement, and is effective on and from the date Granite Quarry adopts an ordinance approving this Agreement.

Section 3. In the event Granite Quarry does not adopt an ordinance approving this Agreement within 90 days from the date it is adopted by the City Council of the City of Salisbury, this ordinance shall be deemed repealed without further action of the City Council of the City of Salisbury.

Section 4. That all ordinances or parts of ordinances or other agreements in conflict with this ordinance are hereby repealed to the extent of such conflict.

Adopted this the 8<sup>th</sup> day of November 2023.

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Karen K. Alexander, Mayor

ATTEST:

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Connie Snyder, City Clerk

**ANNEXATION AGREEMENT BETWEEN THE TOWN OF GRANITE QUARRY,  
NORTH CAROLINA, AND THE CITY OF SALISBURY, NORTH CAROLINA**

This Annexation Agreement (“Agreement”) is made and entered into this \_\_\_\_\_ day of November, 2023, by and between the **City of Salisbury**, a North Carolina municipal corporation (“Salisbury”), and the **Town of Granite Quarry**, a North Carolina municipal corporation (“Granite Quarry”). Salisbury and Granite Quarry are sometimes referred to individually as “Party” and jointly as “Parties.”

**WHEREAS**, the areas between the corporate limits of Salisbury and Granite Quarry are experiencing urban growth; and

**WHEREAS**, Salisbury and Granite Quarry regularly receive inquiries about the availability of municipal services in these areas, including water, sewer, police, and fire, and related inquiries about which municipality would best provide those services; and

**WHEREAS**, Salisbury and Granite Quarry are able to provide municipal services to all of these urbanizing areas to differing degrees and desire to establish growth areas to enhance orderly planning and to provide certainty to each municipality and to the residents, property owners, and developers in these urbanizing areas about which municipality is best able to provide municipal services; and

**WHEREAS**, G.S. § 160A-58.21 *et seq.* authorizes municipalities to enter into annexation agreements; and

**WHEREAS**, Granite Quarry and Salisbury desire to enter into an annexation agreement; and

**WHEREAS**, pursuant to § G.S. 160A-58.24(c), Salisbury and Granite Quarry held public hearings on November 8, 2023, and November 13, 2023, respectively, authorizing the adoption of an ordinance approving this Agreement.

**NOW, THEREFORE**, for and in consideration of the foregoing recitals and the mutual promises and covenants contained in this Agreement, the Parties agree as follows:

1. **Effective Date**. This Agreement is effective as of November 13, 2023 (“Effective Date”).
2. **Effect of Agreement**. This Agreement only affects the rights of Salisbury and Granite Quarry as to each other. This Agreement does not affect the rights of any municipality that is not a party to this Agreement, nor does it affect the rights of Salisbury or Granite Quarry as to any other municipality that is not a party to this Agreement. This Agreement does not affect, and shall not be construed as to affect, any area except those areas specifically identified in paragraph 3. The Parties acknowledge that there are areas between the Parties’ existing corporate limits and the corporate limits of other municipalities that require further study and agreement as it relates to growth and municipal service delivery. The Parties intend to work together in good faith, and to work with other municipalities in good faith, to study and enter into agreements for areas not affected by this Agreement.

3. **Annexation Agreement.** The Parties agree to exercise annexation authority, or to refrain from exercising annexation authority, in accordance with this paragraph.

a. **Non-Annexation Areas.** The Parties have identified areas where each municipality is best able to provide municipal services and achieve orderly growth for the public benefit. For purposes of this Agreement, these growth areas are referred to as “Non-Annexation Areas.” Within these Non-Annexation Areas, the Parties Agree as follows:

i. Salisbury shall not annex any property within **Granite Quarry’s Non-Annexation Areas.**

ii. Except where authorized by a subsequent annexation agreement between Salisbury and Granite Quarry, Faith, or China Grove, Salisbury shall not annex any property that is either (1) to the east of Old Concord Road between Webb Road and St. Paul’s Church Road; or (2) to the south of Webb Road between Interstate 85 and Old Concord Road.

iii. Granite Quarry shall not annex any property within **Salisbury’s Non-Annexation Areas.**

The Non-Annexation Areas referenced in this section are described in the attached **Exhibit A**, which is attached to this Agreement and incorporated by reference.

b. **Area Identified for Further Study.** The Parties have identified an area between the Parties’ existing corporate limits, and between the Parties’ existing corporate limits and the corporate limits of the Town of East Spencer, that is urbanizing and that requires further study and agreement. For purposes of this Agreement, this area is referred to as the “Area Identified for Further Study.” Within the Area Identified for Further Study, neither Party shall annex any property without the prior written consent of the other Party, such consent not to be unreasonably withheld, conditioned, or delayed.

The Area Identified for Further Study referenced in this paragraph 3.b. is described in the attached **Exhibit A**, which is attached to this Agreement and incorporated by reference.

c. **Extraterrestrial Jurisdictions (ETJ).** Neither Party shall annex any property within the ETJ of the other Party as it exists on the date of this Agreement.

4. **Notice of annexations.** The Parties waive the notice required by G.S. §160A-58.24(a)(5) and (b) for any annexations pursuant to this Agreement.

5. **Annexations to comply with law.** Annexation by either Party pursuant to this Agreement shall comply with applicable law, including as applicable Parts 1 and 4 of Article 4A of Chapter 160A of the North Carolina General Statutes.

6. **Utility service.** The Parties acknowledge that Salisbury owns and operates a regional water and sewer utility known as Salisbury-Rowan Utilities (“SRU”) that provides utility service to Salisbury, Granite Quarry, and much of the area depicted in **Exhibit A**. Within any area Granite Quarry lawfully exercises its annexation authority, unless otherwise required by law, and to the extent Granite Quarry lawfully conditions connecting to SRU’s system on the requesting party petitioning Granite Quarry for voluntary annexation, SRU agrees to comply with that condition and not provide utility service unless and until the requesting party meets all of Granite Quarry’s conditions for connecting.
7. **Term.** The term of this Agreement shall be for a period of twenty (20) years beginning on the Effective Date of this Agreement (“Term”).
8. **Termination.** This Agreement may be terminated by either Party in the manner prescribed by G.S. §160A- 58.24(f).
9. **Modifications and Amendments.** This Agreement may only be modified or amended by a subsequent agreement signed by both Parties pursuant to G.S. §160A-58.24(d). Any amendments to this Agreement shall be approved by ordinance and adopted after public hearings by both Parties.
10. **Notices.** Unless otherwise provided, all notices provided for herein shall be in writing and shall be sent properly addressed by first class mail to the Parties at the addresses shown below:

City of Salisbury  
PO Box 479  
Salisbury, North Carolina 28145  
Attention: City Manager

Town of Granite Quarry  
PO Box 351  
Granite Quarry, NC 28072  
Attention: Town Manager

All notices shall be effective three (3) days after having been deposited, properly addressed and postage prepaid, in the U.S. Postal Service. Any Party may change the person to whom or the address to which notices should be provided by giving written notice to the other Party of the change.

11. **Dispute Resolution.** In the event of conflict or default that might arise for matters associated with this Agreement, the Parties agree to informally communicate to resolve the conflict. If any such dispute cannot be informally resolved, then such dispute, or any other matter arising under this Agreement, shall be subject to resolution in a court of competent jurisdiction. Such disputes, or any other claims, disputes, or other controversies arising out of this Agreement between the Parties shall be subject to and decided exclusively by the appropriate general court of justice of Rowan County, North Carolina.

12. **No Waiver of Non-Compliance.** No provision of this Agreement shall be deemed to have been waived by any Party unless such waiver shall be in writing and executed in the same formality as this Agreement. The failure of any Party at any time to require strict performance by the other of any provision of this Agreement shall in no way affect the right of the other Party to thereafter enforce the same. In addition, no waiver or acquiescence by a Party of any breach of any provision of this Agreement by the other Party shall be taken to be a waiver of any succeeding breach of such provision or as a waiver of the provision itself.
13. **Entire Agreement.** This Agreement constitutes and expresses the entire agreement and understanding between the Parties concerning its subject matter. This Agreement supersedes all prior and contemporaneous discussions, promises, representations, agreements and understandings relative to its subject matter.
14. **Severability.** If any provision of this Agreement shall be declared invalid or unenforceable, the remainder of the Agreement shall continue in full force and effect.
15. **Governing Law.** This Agreement shall be governed by the law of the State of North Carolina.
16. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. The Parties agree that computer scanned or faxed signatures or copies of this Agreement will have the same validity and force as an “original.”

**[THIS PART INTENTIONALLY LEFT BLANK;  
SIGNATURES ON FOLLOWING PAGE.]**

**IN TESTIMONY WHEREOF**, the Parties, pursuant to ordinances of their respective governing boards spread upon their minutes, have caused this Agreement to be executed and attested by their Mayors and their official seals affixed, the day and year written below.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2023.

**TOWN OF GRANITE QUARRY**

BY: \_\_\_\_\_  
Brittany Barnhardt, Mayor

ATTEST:

\_\_\_\_\_  
Aubrey Smith, Town Clerk

**IN TESTIMONY WHEREOF**, the Parties, pursuant to ordinances of their respective governing boards spread upon their minutes, have caused this Agreement to be executed and attested by their Mayors and their official seals affixed, the day and year written below.

Adopted this the \_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF SALISBURY**

BY: \_\_\_\_\_  
Karan K. Alexander, Mayor

ATTEST:

\_\_\_\_\_  
Connie Snyder, City Clerk

## EXHIBIT A

The following descriptions exclude the following: (1) any property within the corporate limits of any municipality on the date of this Agreement, which can only be de-annexed or annexed by another municipality by act of the North Carolina General Assembly. And (2) any property within the extraterritorial jurisdictional limits (ETJ) of any municipality on the date of this Agreement, which, pursuant to the Agreement, may only be annexed by the municipality that exercises ETJ over the property. In the event that either Salisbury or Granite Quarry relinquish ETJ during the Term of this Agreement, this exclusion no longer applies and the property, without further action by either Party, shall become part of the respective non-annexation area if the property is within any boundary described in this Exhibit A.

### Non-Annexation Area A (Interstate 85)

Salisbury's Non-Annexation Area A is defined as that area bounded by the following:

The Point of Beginning is the intersection of Webb Road and Interstate I-85. Thence in a northerly direction along Interstate 85 to a point in the northeast corner of an approximately 0.91-acre parcel identified as parcel 401-043 (now or formerly owned by David K. Shinn, Book 781, Page 257). Thence with the eastern boundary of parcel 401-043 a distance of 74 feet, more or less, to a point in the line of an approximately 3.81-acre parcel identified as 401-109 (now or formerly owned by David K. Shinn, Book 781, Page 257). Thence with the northern boundary of parcel 401-109 in an easterly direction a distance of 550 feet, more or less, to a point, said point being the common corner of parcels 401-109, 401-108 (NC Salisbury, LLC, now or formerly), and 401-116 (Rowan-Salisbury Board of Education, now or formerly). Thence with the eastern boundary of parcel 401-109 a distance of 158.4 feet, more or less, to a point in the northeast corner of an approximately 2.04-acre parcel identified as parcel 401-054 (now or formerly owned by Larry G. Campbell and wife, Phyllis E. Campbell, Book 610, Page 703). Thence with the eastern boundary of parcel 401-054 in a southerly direction a distance of 89.1 feet, more or less, to a point in the line of an approximately 2.81-acre parcel identified as 401-053 (now or formerly owned by Larry G. Campbell and wife, Phyllis E. Campbell). Thence with the eastern boundary of parcel 401-053 continuing in a southerly direction a distance of 16.5 feet, more or less, to a point, said point being a common corner of parcels 401-053 and 401-116 (Rowan-Salisbury Board of Education, now or formerly). Thence with the northern boundary of parcel 401-053 in an easterly direction a distance of 330.5 feet, more or less, to a point, said point being in the line of parcel 401-116 (Rowan-Salisbury Board of Education, now or formerly). Thence with the eastern boundary of parcel 401-053 in a southerly direction a distance of 94.1 feet, more or less, to a point, said point being in the line of parcel 401-116 (Rowan-Salisbury Board of Education, now or formerly) and being the common corner of parcel 401-053 and an approximately 4.59-acre parcel identified as 401-017 (now or formerly owned by Shirley P. Hoosier, Book 1055, Page 872). Thence with the eastern boundary of parcel 401-017 continuing in a southerly direction a distance of 178.2 feet, more or less, to a point, said point being in the line of parcel 401-116 (Rowan-Salisbury Board of Education, now or formerly) and being the common corner of 401-017 and an approximately 6.98-acre parcel identified as 401-019 (now or formerly owned by Bowtie Properties, LLC, Book 1342, Page 832). Thence with the eastern boundary of parcel 401-019 continuing in a southerly direction

a distance of 178.2 feet, more or less, to a point, said point being in the line of parcel 401-116 (Rowan-Salisbury Board of Education, now or formerly) and being the common corner of 401-019 and an approximately 16.85-acre parcel identified as 401-A-031 (now or formerly owned by Bowtie Properties, LLC, Book 1265, Page 285). Thence with the eastern boundary of parcel 401-A-031 continuing in a southerly direction (along the common lines of parcel 401-116 (Rowan-Salisbury Board of Education, now or formerly) and those parcels in Stafford Estates (Book 9995, Page 3001) a distance of 1,650 feet, more or less, to a point, said point being the southeastern corner of 401-A-031. Thence with the southern boundary of parcel 401-A-031 in a westerly direction (along the common lines of those parcels in Stafford Estates) to a point, said point being the northeast corner of an approximately 26.83-acre parcel identified as 406-003 (now or formerly owned by Robert K. Boles and wife, Cynthia S. Boles, Book 1092, Page 974). Thence with the eastern boundary of parcel 406-003 in a southerly direction (along the common lines of those parcels in Stafford Estates) a distance of 569 feet, more or less, to a point, said point being the common corner of 406-003 and an approximately 13.89-acre parcel identified as 406-005 (now or formerly owned by James R. Kerns, Jr.). Thence with the eastern boundary of parcel 406-005 in a southerly direction (along the common lines of those parcels in Stafford Estates) a distance of 585 feet, more or less, to a point, said point being the southeast corner of parcel 406-005 and in the common line of those parcels in Orchard Hills (Book 9995, Page 1181). Thence with the southern boundary of 406-005 in a westerly direction (along the common lines of those parcels in Orchard Hills) a distance of 1,048.65 feet, more or less, to a point, said point being in the line of Orchard Hills and the common corner of parcel 406-005 and an approximately 3.97-acre parcel identified as parcel 406-056 (now or formerly owned by Lois H. Walton and Roger K. Walton, Book 649, Page 230). Thence with the southern boundary of parcel 406-056 in a westerly direction (along the common lines of those parcels in Orchard Hills) a distance of 247.7 feet, more or less, to a point in the line of an approximately 2.06-acre parcel identified as parcel 406-045 (now or formerly owned by Toa Nguyen and wife, Anh Tran, Book 1321, Page 28). Thence with the eastern boundary of parcel 406-045 in a southerly direction (along the common lines of those parcels in Orchard Hills) a distance of 154.02 feet, more or less, to a point, said point being the common corner of parcel 406-045 and an approximately 1.76-acre identified as parcel 406-006 (now or formerly owned by Abel C. Arreola, Book 1276, Page 41). Thence with the eastern boundary of parcel 406-006 in a southerly direction (along the common lines of those parcels in Orchard Hills) a distance of 420.4 feet, more or less, to a point in the line of Peach Orchard Road. Thence along Peach Orchard Road in an easterly direction to Old Concord Road. Thence in a southerly direction along Old Concord Road to Webb Road. Thence in a westerly direction along Webb Road to Interstate 85, the Point of Beginning.

The parcel numbers refer to Rowan County Parcel Identification numbers. The book and page references are to the Rowan County Registry.

The Salisbury Non-Annexation Area A also includes all property west of Interstate 85.

The Salisbury Non-Annexation Area A is labeled as such on the attached map, which is incorporated by reference.

Granite Quarry's Non-Annexation Area A is defined as that area bounded by the following:

The Point of Beginning is the intersection of Julian Road and Interstate 85. Thence in an easterly direction along Julian Road to Heilig Road. Thence continuing in an easterly direction along Heilig Road to Faith Road. Thence in a southerly direction along Faith Road to St. Paul's Church Road. Thence in a westerly direction along St. Paul's Church Road to Old Concord Road. Thence in a northerly direction along Old Concord Road to Peach Orchard Road. Thence in a westerly direction along Peach Orchard Road to Interstate 85, the Point of Beginning.

Less and except that portion North of Peach Orchard Road included in Salisbury's Non-Annexation Area A.

The Granite Quarry Non-Annexation Area A is labeled as such on the attached map, which is incorporated by reference.

**Non-Annexation Area B (Stokes Ferry Road)**

Salisbury's Non-Annexation Area B is defined as that area bounded by the following:

The Point of Beginning is the intersection of Dunns Mountain Road and Stokes Ferry Road. Thence in a northeasterly direction along Dunns Mountain Road to Bringle Ferry Road. Thence in a northwesterly direction along Bringle Ferry Road to the point at which Bringle Ferry Road crosses Interstate 85. Thence in a southwesterly direction along Interstate 85 to East Innes Street. Thence in a southeasterly direction along East Innes Street to Stokes Ferry Road. Thence continuing in a southeasterly direction along Stokes Ferry Road to Dunns Mountain Road, the Point of Beginning.

The Salisbury Non-Annexation Area B is labeled as such on the attached map, which is incorporated by reference.

**Granite Quarry's Non-Annexation Area B** is defined as that area bounded by the following:

The Point of Beginning is the intersection of Dunns Mountain Road and Stokes Ferry Road. Thence in a southeasterly direction along Stokes Ferry Road to Oddie Road. Thence in a southerly direction along Oddie Road to Fish Pond Road. Thence in a westerly direction along Fish Pond Road to Brown Acres Road. Thence in a southwesterly direction along Brown Acres Road to US Highway 52. Thence in a northwesterly direction along US Highway 52 to Jake Alexander Boulevard. Thence in a northeasterly direction along Jake Alexander Boulevard to Stokes Ferry Road. Thence in a southeasterly direction along Stokes Ferry Road to Dunns Mountain Road, the Point of Beginning.

The Granite Quarry Non-Annexation Area B is labeled as such on the attached map, which is incorporated by reference.

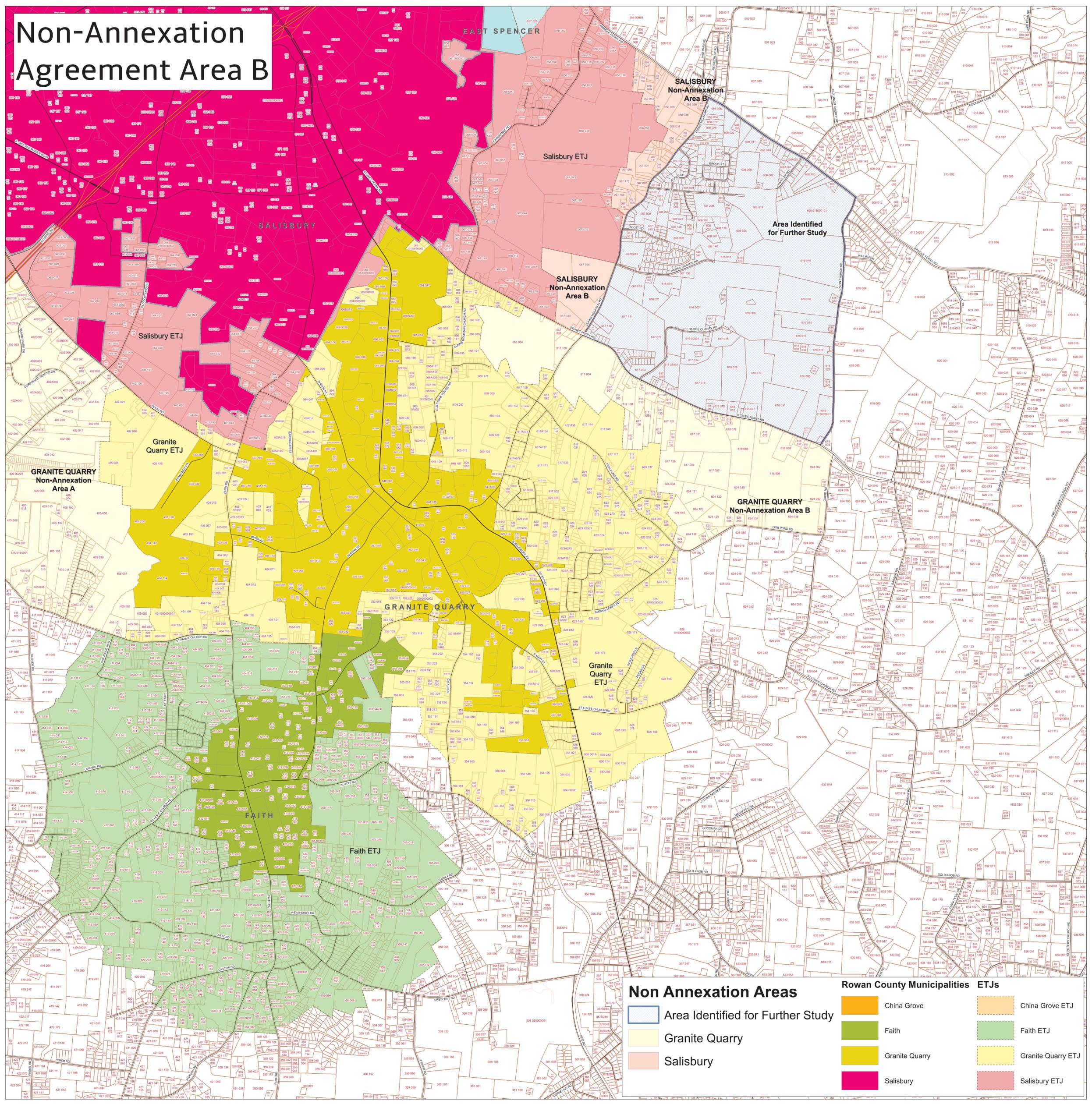
**Area Identified for Further Study**

The Parties have identified the following area as an “Area Identified for Further Study”:

The area bounded by Bringle Ferry Road to the north, Union Church Road to the east, Stokes Ferry Road to the south, and Dunns Mountain Road to the west. This area is subject to ongoing negotiations between Granite Quarry, Salisbury, and the Town of East Spencer.

The Area Identified for Further Study is labeled as such on the attached map, which is incorporated by reference.

# Non-Annexation Agreement Area B

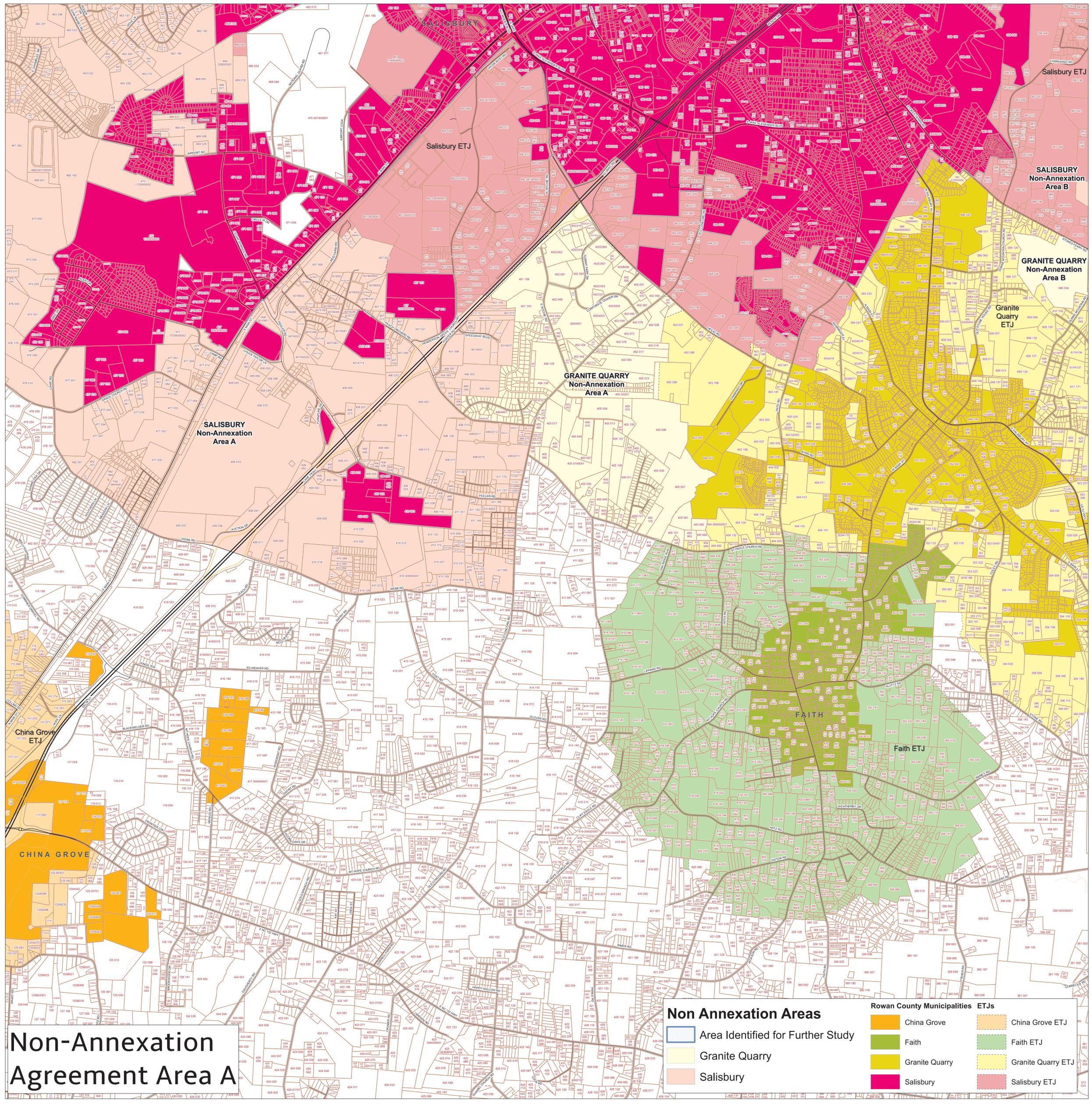


## Non Annexation Areas

- Area Identified for Further Study
- Granite Quarry
- Salisbury

## Rowan County Municipalities ETJs

- |   |  |
|---|--|
| <span style="display: inline-block; width: 20px; height: 10px; background-color: orange; border: 1px solid black;"></span> China Grove    | <span style="display: inline-block; width: 20px; height: 10px; background-color: lightorange; border: 1px solid black;"></span> China Grove ETJ    |
| <span style="display: inline-block; width: 20px; height: 10px; background-color: green; border: 1px solid black;"></span> Faith           | <span style="display: inline-block; width: 20px; height: 10px; background-color: lightgreen; border: 1px solid black;"></span> Faith ETJ           |
| <span style="display: inline-block; width: 20px; height: 10px; background-color: yellow; border: 1px solid black;"></span> Granite Quarry | <span style="display: inline-block; width: 20px; height: 10px; background-color: lightyellow; border: 1px solid black;"></span> Granite Quarry ETJ |
| <span style="display: inline-block; width: 20px; height: 10px; background-color: pink; border: 1px solid black;"></span> Salisbury        | <span style="display: inline-block; width: 20px; height: 10px; background-color: lightpink; border: 1px solid black;"></span> Salisbury ETJ        |



# Non-Annexation Agreement Area A

**Non Annexation Areas**

- Area Identified for Further Study
- Granite Quarry
- Salisbury

**Rowan County Municipalities ETJs**

- China Grove
- Faith
- Granite Quarry
- Salisbury
- China Grove ETJ
- Faith ETJ
- Granite Quarry ETJ
- Salisbury ETJ

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Planning and Neighborhoods

Name of Presenter(s): Hannah Jacobson, Planning and Neighborhoods Director

**Requested Agenda Item:** Council to hold a public hearing and consider awarding a contract to Downtown Salisbury, Inc. for Main Street Program services within the Downtown Municipal Service District.

- a. Receive a presentation from staff
- b. Hold a public hearing
- c. Award a contract of approximately \$142,000, or the amount equivalent to MSD taxes to be received in FY 23-24, to Downtown Salisbury, Inc.

**Description of Requested Agenda Item:** In accordance with NC General Statutes, the City has solicited bids from private entities to provide contracted services in the Municipal Service District. A Request for proposal was published and advertised on October 5<sup>th</sup>. Downtown Salisbury, Inc. (DS) was the only responsive bidder. The contract amount is approximately \$142,000, or the amount equivalent to MSD taxes to be received in FY 23-24. DSI's proposed budget also includes sponsorships and other sources of revenue to supplement these funds. DSI is an accredited Main Street Program with over thirty years of experience managing MSD funds and services.

**Attachments:**  Yes  No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)* Funding shall not exceed annual MSD taxes collected in FY23-24.

**Action Requested of Council for Agenda Item:** Council to hold a public hearing and consider awarding a contract equivalent to MSD taxes to be received in FY 23-24, or approximately \$142,000, to Downtown Salisbury, Inc. for Main Street Program services within the Downtown Municipal Service District.

**Contact Information for Group or Individual:** Hannah Jacobson, [hannah.jacobson@salisburync.gov](mailto:hannah.jacobson@salisburync.gov), 704-638-5230

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

**FINANCE DEPARTMENT INFORMATION:**

# Salisbury City Council Agenda Item Request Form

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*M. O'Donoghue*

Finance Manager Signature

*Fernando Jackson*

Department Head Signature

*Tracey Keyes*

Budget Manager Signature

**\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\***

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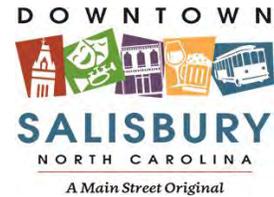
**For Use in Clerk's Office Only**

**Approved**

**Delayed**

**Declined**

**Reason:**



Hannah Jacobson  
City of Salisbury  
Planning and Neighborhoods Department  
132 North Main Street  
Salisbury, NC 28144

October 20, 2023

Dear Ms. Jacobson,

Enclosed in this package, please find Downtown Salisbury, Incorporated's (DSI) response to the Request for Proposal for management of the Municipal Service District (MSD) in Downtown Salisbury. We are thrilled to present this response, and to build on the long-standing relationship between DSI and the City of Salisbury.

DSI is a 501c3 non-profit that was founded in 1980 to facilitate and promote the enhancement and growth of the central business district for its continued development as the economic, governmental, social, and cultural center of Rowan County.

The organization is a nationally accredited Main Street program, and is managed by a 24-person Board of Directors, made up of downtown stakeholders, community partners and invested members of the public who work to continue to develop the Downtown. A large part of the accreditation process and the annual review by both National and North Carolina Main Street programs is based on careful reporting of the economic and community impact led by DSI over the past fiscal year. The organization is proud to be one of fewer than 900 communities across the entire country to reach accreditation after the vigorous reporting process.

DSI's core mission is "to promote, enhance and manage the development of the central business district of Salisbury and to improve and expand the District to become the economic, governmental, social and cultural center of Rowan County." Though more detail will follow in the ensuing pages, DSI currently serves the downtown in the following ways, which will continue to be an asset for the MSD.

### ***Marketing***

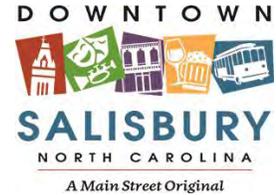
DSI will continue and extend current marketing efforts which are focused on three main strategies. The first is to bring visitors to support entertainment, retail, food and arts venues. The second is to attract investment and development. The third is to continue branding Downtown Salisbury locally and regionally.

### ***Economic Development***

DSI will continue and expand economic development efforts related to increasing the tax base, growing employment opportunities, attracting new businesses, activating the street level environment, and adding residential options to this area. Additionally, as in all areas of the existing Municipal Service District, DSI will aid with developers and small businesses, collect downtown data, conduct detailed market analyses when needed, and maintain positive relationships with property owners, merchants, and area stakeholders.

### ***Advocacy & Public Policy***

DSI will continue to provide advocacy and public policy efforts on issues that affect this area, the noted expansion properties, and the entirety of Downtown.



### ***Special Events***

Downtown Salisbury, Inc. provides events throughout the year that aim to highlight retailers, restaurants, cultural institutions and entertainment venues throughout the Downtown. As part of the downtown MSD, the entities of the expansion properties will be included in these events. Four such events are signature events in the Downtown. Of note, the properties will be able to participate in the events such as Halloween FunFest, Buskers' Bash, College Night Out, and any other event that brings people into the downtown, for exposure to our vibrant cultural and retail community.

### ***Incentives***

DSI will assist with informing properties located within the boundaries of the MSD that they have access to façade and downtown revitalization grant funds.

### ***Clean, Green, & Safe Services***

Along with services and supports provided by DSI, the organization works with the City of Salisbury to communicate and provide additional services to those properties in the Downtown:

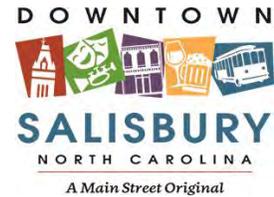
- Additional services during and after special events (provision of additional trash containers, street sweeping, staffing, etc.)
- Dedicated policing presence
- Removal of litter and debris from public areas, curbs and gutter (parks, alleys, bus stops)
- Emptying Public Streetscape trashcans (two times per week)
- Additional trash pick- up services (two times per week)
- Removal of graffiti from public infrastructure using environmentally safe chemical applications, power washing, or painting
- Spraying and mechanical removal of larger concentrations of weeds in public spaces
- General landscaping / bed replacement in public right of ways
- Pressure washing or steam cleaning of public benches, trashcans, and other street furniture and fixtures
- Snow & ice removal from handicap cutouts on sidewalks (special project)
- Track unusual activities, issues, or conditions & report to the City if outside MSD scope of services (graffiti, damaged sidewalks, safety concerns, appearance issues, etc.)
- Straighten street fixtures and furniture (includes: newspaper boxes, benches, trashcans, etc.)

Thank you for the time and attention to this proposal for DSI to continue to manage the municipal service district for the City of Salisbury. DSI has had the honor to do so since the MSD was created, and will continue to lead in a manner that supports manageable and positive economic and social growth for the Downtown. DSI is proud of the work it has completed, and looks forward to many more years of managing the MSD for the City of Salisbury, working to cultivate a community of development and growth for those living, working and visiting Downtown Salisbury.

Thank you,

*Sada Troutman*

Sada Troutman  
Executive Director, Downtown Salisbury, Inc.



## Qualifications

The contact for DSI is Sada Troutman, [sada.troutman@salisburync.gov](mailto:sada.troutman@salisburync.gov) or 704-638-5239. Organizational information is as follows: 217 South Main Street, Salisbury, NC 28144, 704-637-7814

Two projects that show the value and qualification of Downtown Salisbury to manage the MSD are shown in our annual statistic reporting, and the execution of the Supporting Existing Businesses grant program.

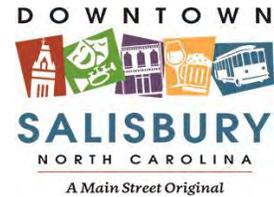
DSI annually reports statistics on projects and development to North Carolina Main Street to assess the economic health of the downtown. For the fiscal year 2022-2023, DSI was able to report 35 façade projects, 10 building rehabilitations and 11 public improvement projects. Downtown saw 40 full time and 28 part time jobs created in the MSD, as well as 21 businesses opened in downtown, with four expansions. The total dollar amount of investment, both public and private, in Downtown Salisbury was \$14,901,106. Over the past year, average rental rates increased to over \$14/square foot for commercial space and over \$16/square foot for residential space. The number of residential units increased to 190, with a mix of condo, apartment and single-family residences available in the MSD. Vacancy of commercial space dropped to 9.3% from 2022-2023. Of course, this is the work of the community stakeholders coming together to improve the downtown.

DSI supports and assists where possible with development and business, and is grateful to the parties that play a vital role in the economic development of downtown. In fact, DSI is proud to report 1,421 volunteer hours for the past year. None of the events, development of business support could happen without those volunteers that assist DSI.

Downtown Salisbury, Inc. (DSI) announced 27 awards totaling more than \$156,000 in impact to downtown businesses within the designated MSD in 2023. These grants were part of the Supporting Existing Businesses Grant Program, made possible by the Duke Energy Foundation, which focuses on strengthening and uplifting communities with vibrant economies, climate resiliency and justice, equity and inclusion. All business owners located within the boundaries, with a storefront presence and with fewer than 50 employees were invited to apply for grants between \$500 and \$2500 for Enhanced service or commerce opportunities; Furniture for expanded outdoor capacity; Storefront beautification; or Tools or programs to support the business's workforce needs, all of which are described below.

- **Enhanced service or commerce opportunities**, is modifying a physical space, technology to improve online sales, or expanding capacity for delivering goods and services.
- **Furniture for expanded outdoor capacity**, consists of materials for construction of takeout windows, accessibility compliance for additional outdoor seating, and additional fixtures required for compliance with public health issues.
- **Storefront beautification**, includes projects that enhance the appearance of the business and downtown region. For example, new exterior paint, awnings, signage, or planters.
- **Tools or programs to support the business's workforce needs**, describes working with a recruiter, paying to list job opportunities or tuition for a training program.

The \$25,000 allowed DSI to create a grant program that provided small businesses funding to bring visions and business expansions to life. This continued to make Downtown Salisbury a vibrant community asset and destination for tourists and residents alike.



## Experience

Since 1980, when DSI was named as one of the four original Main Street communities in North Carolina, the organization has worked to provide the needed services for the downtown district. Shortly after the creation of the organization, the City enacted the MSD, and DSI began assisting in the management of the district. As the most recent, and only, managing organization of the MSD, DSI is uniquely positioned to seamlessly continue addressing the needs of the entire downtown community.

In the past year, DSI worked with the City and First Presbyterian Church of Salisbury to expand the MSD. After hearing the needs of the property owner, and assessing the potential impact to both the organization and City departments, DSI wrote a report finding that the expansion of the MSD would be beneficial to the downtown. Following all criteria stated in NCGS 160A-538 for the extension of service districts, DSI worked with the property owner to present the report to City Council, and the expansion was successfully approved. Once approval occurred, DSI worked with the property owner to understand the new benefits to being in the MSD, and will continue working to ensure the MSD grows and is inclusive to vital properties.

Another project occurred in 2022, when DSI took the lead in working with the City to create the Downtown Salisbury Social District. The initial desire to have a social district came from merchants and stakeholders in the Downtown, so shortly after the legislation was approved, DSI worked with City officials to begin discussing logistical and public safety concerns about the district. After creating a framework for the project, DSI hosted a number of public engagement sessions to hear from the public, stakeholders, merchants and bar and restaurant owners. These were held in a number of platforms, including virtual and in-person, to be able to reach as many people as possible. Taking into consideration all of the public feedback, DSI established a management and operations plan, a map, and a process for registration, all of which was presented to City Council. In order to ensure careful consideration was taken for the needs of the public, meetings were held with Councilmembers to address individual questions or concerns. At a subsequent meeting, and after a public hearing, the Downtown Salisbury Social District was successfully approved, and DSI handled business registration for participation in the district, as well as education sessions and marketing for the district, prior to the start date. After finalizing signage, branding, appropriate communication with the ABC Board and the community education, the social district opened on July 1, 2022. After one and a half years of operation, 90% of eligible bars and restaurants sell 'to-go' drinks, more than 90% of merchants allow social district drinks in their store, and there have been zero public safety incidents attributed to the social district. Bars and restaurants who sell social district drinks report up to 20% increase in sales since the creation of the district.

DSI is proud to continue spearheading projects, like the ones mentioned above, to continue to develop Downtown Salisbury as a place for entertainment, living, shopping, dining and working. The organization strives to make the MSD a place for general vibrancy of the community, as it has been doing for the past few decades, and will continue to do so in the future.



## **Organizational structure**

Key personnel for DSI includes the following:

Sada Troutman, Executive Director; Role: Performs promotional, consultative, and professional work in developing and directing an overall appearance, economic vitality, and revitalization program for the City's downtown.

Latoya Price, Event Coordinator; Role: Performs professional and technical work planning, organizing, coordinating, and implements events and marketing programs for DSI and the City.

Mel Drye, Administrative Specialist; Role: Performs a variety of responsible administrative support and customer service duties at a journey level requiring knowledge of departmental rules, regulations, procedures and services.

Gianni Moscardini, Board Chair; Role: The Chairman of the Board of Directors shall be the principal executive officer of the corporation and, subject to the control of the Board of Directors, shall supervise and control the management of the corporation in accordance with these bylaws.

Mark Lewis, Vice Chair; Role: The vice-chairman of the Board of Directors shall, in the absence or disability of the chairman, perform the duties and exercise the powers of that office.

Stan Jordan, Treasurer; Role: The treasurer shall have custody of all funds, property, and securities of the corporation, subject to such regulations as may be imposed by the Board of Directors.

Dileika Wilson, Secretary; Role: The secretary shall keep accurate records of the acts and proceedings of all meetings of directors.

Whitney Wallace Williams, Immediate Past President; Role: The Immediate Past President chairs the Organization Committee which, to the extent provided by the Board, shall have and may exercise authority of the Board in the management of the corporation.

The DSI Board of Directors operates as the decision-making body for the organization, with staff executing the work plan with the help of Board and organizational volunteers. The Organization, Economic Vitality, Promotion and Design Committees are comprised of board members, external volunteers and staff and meet regularly to plan, revise, execute and hear reports on the annual plan of work for the organization, which addresses goals and action items for the committees. These committees and staff report progress to the Board of Directors as a whole at monthly board meetings.



## Project Narrative

Downtown Salisbury follows the required four-point approach for the Main Street model. This means the organization utilizes a four-pronged approach to downtown revitalization and commercial development in the downtown. A strong work plan allows the organization to utilize volunteers, board members, staff and community partners to achieve goals and works towards the vision of the organization: Guided by the diverse and historic culture in our community, Downtown Salisbury is a beacon for dynamic arts, dining, entertainment, and shopping in Rowan County and beyond. It is a center for innovative technology, urban living, and entrepreneurial opportunities, making it a vibrant district in which to live and work.

DSI has two different economic development strategies that help develop the work plan, which are listed below, in addition to the goals and objectives for the organization:

**Economic Development Strategy 1: Downtown Salisbury is a beacon for dynamic arts, dining, entertainment, and shopping in Rowan County and beyond.**

Goal: Promote urban living and entrepreneurial opportunities.

Objective: Achieve 93% occupancy in street level property.

**Economic Development Strategy 2: Downtown Salisbury is a destination for urban living.**

Goal: Support urban living and entrepreneurial opportunities.

Objective: To increase the investment in downtown by achieving a total of 210 residential units.

**Economic Development Strategy 1 and 2: Downtown Salisbury is a beacon for dynamic arts, dining, entertainment, and shopping in Rowan County and beyond. Downtown Salisbury is a destination for urban living.**

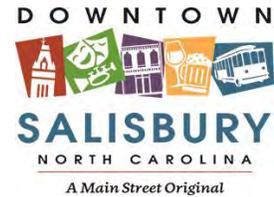
Goal: Promote urban living and entrepreneurial opportunities.

Objective: Host at least 5 events in the 2023-2024 fiscal year for existing businesses and residents.

*Design Committee* focuses on working with the community and volunteers to focus on physical improvements in the downtown, educating property and business owners about preservation and planning for future growth. The goals below show that not only does this committee work towards that mission, it is also working towards Goal 11.1 Maintain an attractive public realm, such as parks, plazas and streetscapes and 11.6 Stimulate adaptive reuse projects to activate underutilized historic structures of the Forward 2040 Plan for the City.

1. Create baseline for current status of Downtown Visual Appearance, and use that baseline to support Design Quality Walks.
2. Establish a “scorecard” to measure progress in development in comparison to the Master Plan.
3. In coordination with the City, serve as a liaison to Downtown on the Main Street Streetscape design.
4. By June 30, 2024, have two buildings in the UNCG Design Program through NC Main Street, and one design showing progress in implementation
5. Work with Salisbury PD to learn more about opportunities to address noise concerns in Downtown.
6. Host 1 event for residents and property/business owners about the Streetscape.
7. Host 1 event for downtown property owners to learn more about HPC and UNCG programs for design, rehabilitation and grants.

*Promotions Committee* positions the downtown for being the center of activity by promoting events and creating a positive image that attracts new businesses, property owners, residents and visitors. The following goals



assist in addressing Goal 11.5 Encourage the creation and growth of museums, theaters, galleries, and other cultural and community venues of the Forward 2040 Plan.

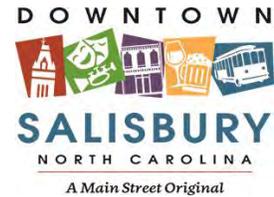
1. Develop and implement a plan for more inclusivity that is more representative of the town's population in both new and existing events by October 2024.
2. Continue to assess the event schedule in coordination with the Merchant Association, Bar & Restaurant Guild, and Stakeholder Feedback and have the 2024 calendar by early December 2023.
3. Work with DKM to create a new digital experience and promote brand awareness by October 2023.
4. Use the marketing videos created by Miller Davis and create new innovative marketing videos and content with DKM to develop a marketing and public relations campaign by October 2024 to promote the potential of Downtown Salisbury to areas outside of Salisbury to those less interested in a less urban area.
5. In coordination with Rowan Tourism and Design Committee, identify and pursue new digital marketing and the installation of more creative and attractive signage, or other ways, to promote downtown from I-85.
6. Create new programs (educational), and/or mixers/activities that would increase and spark stakeholder and downtown resident engagement by July 2024.
7. Develop and create a marketing plan with at least two influencers (min) to promote Downtown Salisbury's uniqueness, events, attractions, businesses, downtown living, etc., locally and to areas outside of Salisbury By December 31, 2024.

*Economic Vitality Committee* identifies new market opportunities for the traditional commercial district by working with existing businesses and property owners for retention, and also recruiting new development and business. This committee's list of goals addresses Forward 2040 Plan goals 11.1 (already mentioned), 11.2 Increase multimodal transportation options and create easy trips to downtown from any point in Salisbury, 11.3 Support the development of a downtown neighborhood, 11.4 Support the development of different business types and business sectors, especially small businesses and the hospitality sector, and 11.6 (already mentioned).

1. Explore and develop a development prospectus for available large downtown space by June 2024, with input from the EDC, Chamber of Com.
2. Support Infrastructure development already occurring in Downtown by participating in work with the Rail Walk Alley, Innes Street Alley, Main Street Streetscape, and other projects.
3. Explore and develop a grant program for businesses and/or property owners in downtown.
4. Update business inventory to track marketing and property development.
5. By March 2024, finalize and professionally distribute the Downtown Salisbury Property Owner and Developer's Guide to increase the occupancy rate to 93% and 210 units.
6. Continue to develop the Business Mixer Series for current business and property owners and employees, by lining up a new series of topics for 2024. Announce by January 15, 2024.
7. By June 30, 2024, create and implement a Downtown Salisbury Resident Group to assist in addressing needs and desires that increase marketability of Downtown Salisbury as a residential neighborhood, and create a sense of community for those who live Downtown.

*Organization Committee* sets the direction of the board, so that the aforementioned committees can make the work happen. Predominantly, this committee supports the development of the workplan that these goals and actions are derived from.

1. Develop a multi-media campaign by January 2024, to tell the story of why residential and commercial development is important.
2. Work with the City of Salisbury and selected developers to secure a sale for the Empire Hotel.



3. Support EV in effort to create a targeted property support/development plan
4. Support Infrastructure Development already occurring, in partnership with EV.
5. Executive Director, in collaboration with the City of Salisbury, develop a capital improvement plan by December 2023.
6. Research and pursue grant opportunities for capital improvements after the completion of the capital improvement plan to attract residential development.
7. Plan budget for events to engage businesses and residents.
8. Assist as needed in development of a Downtown Salisbury Resident Group.
9. Partner with Downtown Businesses and Organizations to host events for Downtown Stakeholders.

*Committee and Board Meeting Schedule:*

Design Committee: Second Tuesday of each month

Economic Vitality Committee: Second Wednesday of each month

Promotion Committee: Second Thursday of each month

Organization Committee: Third Wednesday of each month

Board of Directors: Fourth Tuesday of each month

*Annual Schedule of Activities, Promotions and Events:*

January- Quarterly Stakeholder Meeting

February- Wine About Winter

March/April- Ring in Spring

March- Mixer Series

April- Sounds of Salisbury Concert Series (City event with which DSI assists)

April- Quarterly Stakeholder Meeting

May- Mixer Series

May- Cheerwine Festival (City event with which DSI assists)

July- Krazy Klearance

July- Mixer Series

July- Summer Riffs Concert (City event with which DSI assists)

July- Quarterly Stakeholder Meeting

August- College Night Out

August- Summer Riffs Concert (City event with which DSI assists)

September- Mixer Series

October- Buskers' Bash

October- Bell Tower Brew Fest

October- Quarterly Stakeholder Meeting

October- Halloween Fun Fest Trick-or-Treating

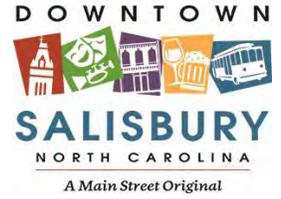
November- Annual Downtown Celebration

November- Holiday Night Out

November- Small Business Saturday

December- Santa & the Grinch

December- NYE at Bell Tower Green (City event with which DSI assists)



**Budget**

Please see attached fiscal year 2023-2024 budget for DSI.

**DOWNTOWN SALISBURY INC.**  
**FYE JUNE 30, 2024 BUDGET**

**FYE June 30,  
2024**

**Budget**

**INCOME**

Support and revenues

Interest income	50.00
Municipal service tax	142,000.00
General promotions sponsorship	7,500.00
Community Sponsor Support	3,500.00
Event Specific Revenue/Tickets	
Wine about Winter	35,000.00
Brewbury Fest	31,000.00
Promotions - DT Dollars	5,000.00
Duke Energy Grant	-
DSI Grant Expense	-
Other Income	500.00
Rental income Empire Hotel	-

Total Support and revenues

**224,550.00**

**EXPENSE**

Office Expense

Bank charges	-
Ticket fees - events	350.00
Credit card fees	100.00
Office supplies	600.00
Postage	150.00

Total Office Expense

**1,200.00**

Office Support

Accounting fees	3,600.00
Audit	5,750.00
Dues and subscriptions	3,800.00
Entertainment/meals	750.00
Insurance	1,200.00
Office support - Other	-

Total Office Support

**15,100.00**

Personnel expenses

Education and training	1,300.00
Travel	1,300.00

Total Personnel expenses

**2,600.00**

Program expenses

Annual meeting	3,000.00
Design Mplan imp. Committee	3,000.00
Downtown beautification	2,000.00
Economic development	19,800.00
Miscellaneous	39.00
<b>Total Program expenses</b>	<b>27,839.00</b>
Promotions expense	
Promotional events/advertising	8,000.00
Wine about Winter	30,000.00
Brewbury Fest	27,500.00
Printed materials	650.00
Marketing	14,000.00
Downtown dollars	5,000.00
Buy local	-
CVB mkt promo joint venture	-
New Business Celebrations	400.00
Event Insurance	2,200.00
<b>Total Promotions expense</b>	<b>87,750.00</b>
Empire Hotel	
Principal and Interest	82,061.00
Insurance	5,000.00
Maintenance	1,500.00
Contingency	-
Property Mgmt fee	-
Utilities	1,500.00
Partial Roof replacements	-
Elevator Certification/Bldg. Clean-Up	-
Refinancing fee	-
<b>Total Empire Hotel</b>	<b>90,061.00</b>
<b>Total Expense</b>	<b>224,550.00</b>

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Transportation Department

Name of Presenter(s): Wendy Brindle, Transportation Director

Requested Agenda Item: Council to receive the updated Draft Uniform Construction Standards Manual for review and comment

## Description of Requested Agenda Item:

The Transportation, Public Works, Salisbury-Rowan Utilities and Land and Development Departments have worked with Alley, Williams, Carmen and King (AWCK) to generate an updated Draft Uniform Construction Standards Manual. The following list outlines significant changes addressed with the new manual:

1. Added checklists for designers to assist with the required information to reduce multiple submittals.
2. Added required notes on construction plans for roadway, water, and sanitary sewer to assist with construction and inspections.
3. Updated requirements for plan submittal and record drawings to be current with today's digital technology to help reduce paper copies.
4. Added a section for encroachments to aid in tracking utility installations within public rights-of-way.
5. Added required standard certifications for infrastructure accepted by the City to add a layer of accountability of the construction accepted for City maintenance. (Stormwater, SCM, bridges, retaining walls, and streets)
6. Better defined stormwater calculations to assist staff with reviewing new projects.
7. Added options for developers to utilize to assist with water quality. This will assist with small sites and also lets the developers choose alternates to SCM without compromising water quality.
8. Provided information regarding requirements for Flood Studies and Special Structures.
9. Changed minimum standards for streets that will benefit Public Works with street maintenance.
10. Added International Fire Code requirements that assists inspectors and the Fire Department.
11. Shifted some standards to NCDOT specifications and standard drawings to cut costs of future City revisions of the Standards Manual.
12. Qualified the minimum build out of subdivisions before the City will accept the streets (85%).
13. Added standards for utilization of valley curb and gutter, HDPE, HPPE, and Corrugated Aluminized Metal Pipe in the right-of-way.
14. Added requirements for retaining walls.

- 15. Added information for bridge installations.
- 16. Added specifications for greenways.
- 17. Consolidated the old manual information into each section of the new manual for ease of use.
- 18. Additional standard drawings were incorporated into the manual.

The Draft Uniform Construction Standards Manual will be provided on the City’s website, and a drop-in style public meeting will be held on Wednesday, December 6, 2023 to allow citizens opportunity to comment and ask questions of staff prior to presentation of the final draft to City Council for adoption. In addition, new standards have been sent to North Carolina Department of Environmental Quality (NCDEQ) for review, comment and approval for use in the City’s local permitting program. Any changes required by NCDEQ will be reflected in the final draft.

**Attachments:**     Yes         No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

N/A

**Action Requested of Council for Agenda Item:** *(Please note if item includes an ordinance, resolution or petition)*

Receive the Draft Uniform Construction Standards Manual for review

**Contact Information for Group or Individual:**

Wendy Brindle, Transportation Director  
704-638-5201/wbrin@salisburync.gov

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

**FINANCE DEPARTMENT INFORMATION:**

\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Budget Manager Signature

**\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\***

**For Use in Clerk’s Office Only**

**Approved**

**Declined**

**Reason:**

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Salisbury-Rowan Utilities

Name of Presenter(s): Jason Wilson

Requested Agenda Item: Sanitary Sewer Rehabilitation Project – Contract Renewal

**Description of Requested Agenda Item:** Salisbury-Rowan Utilities (SRU) opened one (1) sealed bid on January 27, 2022 from a qualified vendor for the Sanitary Sewer Rehabilitation Project – Contract 2. The project was re-advertised after the initial advertisement for bids failed to result in the required minimum of three (3) bidders in order to open sealed bids. Frazier Engineering, P.A. (now CHA) prepared the bid documents and reviewed all of the submitted bid documents, finding Atlantic Coast Contractors bid to be reasonable. The original contract amount was \$650,000 and is nearing completion. City Council previously approved a contract renewal in the amount of \$1,050,000 on March 21, 2023. SRU requests to continue the sanitary sewer rehabilitation program, utilizing budgeted FY24 funding, through the execution of a contract renewal in the amount of \$1,550,000.

Attachments:  Yes  No

**Fiscal Note:** This project is part of SRU's CIP. Sufficient funds are available in the FY24 budget.

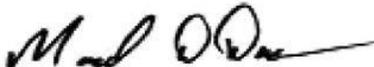
**Action Requested of Council for Agenda Item:** Council to consider authorizing the City Manager to execute a contract renewal with Atlantic Coast Contractors, Inc. in the amount of \$1,550,000 for construction related to the Sanitary Sewer Rehabilitation Project – Contract 2.

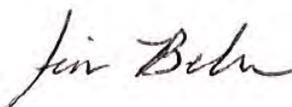
**Contact Information for Group or Individual:** Jason Wilson, Assistant Utilities Director  
704-216-7553, jason.wilson@salisburync.gov

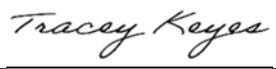
**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

## FINANCE DEPARTMENT INFORMATION:

  
Finance Manager Signature

  
Department Head Signature

  
Budget Manager Signature

**\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\***

# Salisbury City Council Agenda Item Request Form

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For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

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CONTRACT RENEWAL  
TO  
CONTRACT FOR SRU SANITARY SEWER  
REHABILITATION

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**THIS CONTRACT RENEWAL** to the Contract for SRU Sanitary Sewer Rehabilitation Contract – Contract 2 (the “Renewal”) is made as of \_\_\_\_\_, 2023, by and between the **CITY OF SALISBURY**, a North Carolina municipal corporation (the “CITY”) and **ATLANTIC COAST CONTRACTORS, INC.** a corporation doing business in North Carolina (the “Contractor”) (collectively, the “Parties”).

**Whereas**, the Parties entered into a Contract renewal for Sanitary Sewer Rehabilitation Contract – Contract 2 (the “Contract”) on March 21, 2023;

**Whereas**, the Parties now desire to renew the Contract as allowed by and in accordance with the terms of the Contract, not including adjustments to unit pricing;

**Whereas**, the City Council authorized this Renewal on 11/7/2023;

Now, therefore, in consideration of the mutual covenants and agreements contained herein, the Parties hereby renew the Contract as follows:

1. **Work Orders.** The Work shall be performed pursuant to orders issued and/or approved by the Engineer or the City, and the Contractor shall be compensated based on unit prices as amended by this Renewal. Payment to the contractor will be only for the actual quantities of work performed or materials furnished in accordance with this Renewal and original Contract.
2. **Renewal Amount.** The work performed pursuant to this Renewal is estimated to be, but in no event shall it exceed, **\$1,550,000.00.**

In all other respects and except as modified herein, the terms of the original Contract shall remain in full force and effect.

IN WITNESS WHEREOF, and in acknowledgment that the Parties hereto have read and understood each and every provision hereof, the Parties have caused this Renewal to be executed as of the date first written above.

**ATLANTIC COAST CONTRACTORS, INC.**

BY: \_\_\_\_\_

(signature)

PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

**CITY OF SALISBURY**

BY: \_\_\_\_\_

(signature)

PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

This instrument has been pre-audited in the manner required by Local Government Budget and Fiscal Control Act.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Police Chief P.J. Smith

Name of Presenter(s): Chief P.J. Smith

**Requested Agenda Item:** Council to consider approving an update to the employee pay grade and classification schedule to add two new positions and reestablish two previously included positions for the Police Department.

## Description of Requested Agenda Item:

In the FY23-24 adopted budget Council approved \$300,000 for support of Police Department positions. The intent was for the newly hired Chief to determine which positions would be most beneficial. Two positions were previously a part of the Police Department roster but over years the money was reallocated for other needs and staff would like to reestablish these as part of the Department. The positions are a Senior Administrative Specialist for command staff and a Senior Administrative Specialist for Criminal Investigations. By using non-sworn personnel for these positions it will allow sworn officers to remain in the field and the new positions to assist officers with paperwork and other duties.

The two new positions requested to be added to the pay grade and classification schedule are a Community Resource Advocate and a Downtown Liaison. The Community Resource Advocate will work closely with our Homeless Advocate and the unsheltered population to introduce resources needed to provide assistance for those in need. A job description is attached with a pay grade of 10 (range \$41,887 - \$67,019)

The Downtown Liaison position has historically been a sworn officer, but with new legislation non-sworn personnel can now perform many of the same actions such as larceny reports, parking enforcement and minor accidents. The Liaison will work closely with DSI to engage merchants as well as enforce park rules at the three downtown park areas (Bell Tower Green, Gateway Park, and Lee and Fisher plaza). A job description is attached with the pay grade of 9 (range \$39,892 - \$63,827).

The total annual salary and benefits for these four positions is estimated to be \$285,100.03.

**Attachments:**  Yes  No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)* \$300,000 was included in the FY223-4 budget to cover these positions.

**Action Requested of Council for Agenda Item:** Council to consider approving an update to the employee pay grade and classification table to add two new positions and reestablish two positions previously included for the Police Department.

# Salisbury City Council Agenda Item Request Form



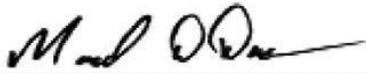
*(Please note if item includes an ordinance, resolution or petition)*

**Contact Information for Group or Individual:** Chief P.J. Smith, 704-516-7581

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

## FINANCE DEPARTMENT INFORMATION:

  
\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

  
\_\_\_\_\_  
Budget Manager Signature

**\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\***

## For Use in Clerk's Office Only

**Approved**

**Delayed**

**Declined**

**Reason:**

## COMMUNITY RESOURCE ADVOCATE

FLSA Status: Non-Exempt

### **General Statement of Duties**

Performs responsible specialized human services work providing support and advocacy with those in the community experiencing Homelessness.

### **Distinguishing Features of the Class**

An employee in this class performs advocacy work on behalf of the homeless population in the City. Work involves making assessments of the needs of victims of homelessness identifying community resources to help fulfill those needs which may include shelter, counseling, referrals, food, property return, general advocacy and support. Work involves completing reports and master case files, making follow up contacts and maintaining all client data. Work also includes tracking activities of grant funded positions for grant reporting and other grant funded activities and compiling data for departmental decision making. Work requires the ability to communicate effectively with special populations with tact and discretion and maintain confidentiality. Work is performed under regular supervision and is evaluated through observation, conferences, and the quality and effectiveness of work completed.

### **Duties and Responsibilities**

#### **Essential Duties and Tasks**

Works with the un-housed to help locate stable housing, reduce crime victimization, and address other community challenges to reduce the homeless population; serves as a advocate to connect victims of homelessness with community services and to prevent future victimization.

Coordinates needed services via various service providers for individuals to assist in their transition from a life of crime; coordinates with all law enforcement agencies in Rowan County.

Completes client forms, master case files and reports; document services and referrals provided and conducts thorough case management on all cases to include follow-up contacts and interviews.

Assist those that are experiencing homelessness with navigating through the judicial process as well as recommending additional community services; and providing the department with alternate methods of providing family intervention services.

Attends court and judicial proceedings and may transport victims when needed.

Assist with and attend community events as needed.

Works closely and interacts with detectives, patrol officers, supervisors, service providers, other advocates, governmental agencies, and the general public to ensure needs are addressed within the homeless population.

Develops and maintains strong working relationships with other governmental and community agencies and acts as a liaison for those who may be un-housed or displaced seeking services from these agencies.

Performs data entry and maintains monthly, quarterly and annual reports related to client services, statistics, case disposition, grant reporting and services provided.

#### **Additional duties**

Participates in staff training.

Performs other related duties as required and assigned.

## **Recruitment and Selection Guidelines**

### **Knowledge, Skills and Abilities**

Considerable knowledge of criminal justice system and violence against homeless population.  
Knowledge of the demographic, types of crime, crime rates, homelessness, and other information specific to the City.  
Knowledge of sociological principles and practices.  
Knowledge of methods of successful transition from incarceration to crime free living.  
Thorough knowledge of community resources to assist with transportation, housing, food, child care and counseling needed by victims and former inmates.  
Considerable knowledge of modern office technology and equipment.  
Skill in collaborative conflict resolution, research, active listening, counseling, teamwork, public speaking and meeting facilitation.  
Ability to plan and organize work and programs to meet program goals efficiently and effectively.  
Ability to set priorities and meet established deadlines.  
Ability to respond and intervene in crisis situations.  
Ability to provide firm guidance to former inmates and help guide them in a life free of crime.  
Ability to communicate effectively in both written and verbal form.  
Ability to collect data and maintain accurate statistics, comprehensive reports and complete files and analyze data to identify trends.  
Ability to work independently with limited supervision in a responsible and confidential manner.  
Ability to establish and maintain effective working relationships with law enforcement officers and the general public.

### **Physical Requirements**

Must be able to perform the basic life operational skills of climbing, stooping, kneeling, crouching, reaching, standing, walking, fingering, grasping, talking, hearing and repetitive motions.  
Must be able to perform light work, exerting up to 20 pounds of force occasionally, and/or up to 10 pounds of force constantly to lift objects.  
Must possess the visual acuity to prepare and analyze data and figures, perform accounting tasks, operate a computer terminal, conduct visual inspections and do extensive reading.

### **Desirable Education and Experience**

Bachelor's degree in social work, sociology, psychology, criminal justice, political science or related field and experience advocating for those experiencing homelessness and providing services to individuals in crisis, including working with community resources, working with inmates in transition, or other relevant experience; or any equivalent combination of education and experience.

### **Special Requirements**

Possession of Valid North Carolina Driver's license  
Bilingual in Spanish and English is highly desired.

# Downtown Liason

FLSA Status: *Non-Exempt*

## **General Statement of Duties**

Performs intermediate semiskilled work enforcing parking regulations, issuing citations, maintaining records, preparing reports, and related working with merchants to ensure businesses downtown are operating as safely and functionally as possible. Responsible for coordinating public safety initiatives and resources to cover events in downtown area and parks.

## **Qualification Requirements**

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required and are not necessarily actual functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Work is performed under the moderate supervision of a Police Sergeant.

## **Duties and Responsibilities**

### **Essential Duties and Tasks**

Patrols streets and parking lots to enforce parking and other related violations.

Patrols downtown parks to ensure patrons' safety and enjoyment while observing for violations of laws, codes or ordinances and coordinating with sworn police officers to maintain order.

Compile official incident reports of theft, trespassing, vandalism, etc.

Issues citations for overtime, assigned parking and loading or unloading zone violations.

Obtains registered vehicle owners address using plate numbers

Maintains files of written, paid and unpaid tickets.

Prepares list of unpaid tickets and late notice notification letters.

Conducts daily and monthly cash register audits; assigns appropriate category to funds and turns into the Finance Department.

Prepares various reports and lists associated with revenues and unpaid tickets and coordinates recovery efforts for unpaid civil fines.

Check Park grounds and recreation facilities in downtown for safety hazards; communicate with visitors and provides assistance as needed.

Operate a city assigned vehicle during both, the day and night in a safe manner while obeying the traffic laws of North Carolina; utilize alternative modes of transportation such as bicycles, foot patrol, and electric vehicles.

Works to develop citizen and merchant support, while creating an enriching environment to ensure that all of the stakeholders play a role in improving the overall downtown experience.

Checks on downtown merchants to maintain security presence.

Collaborates with stakeholders to keep merchants aware of the ways in which they can assist the police department in preventing and solving crime in the downtown area.

# Downtown Liason

## **Knowledge, Skills and Abilities**

General knowledge of city ordinances, downtown streets, and programs implemented, and state laws and regulations. General knowledge of standard office practices, procedures, equipment and office assistance techniques. Ability to work for short periods of time in inclement weather, communicate and function during emergency situations. Ability to handle routine clerical and record keeping functions. ability to establish and maintain effective working relationships with associates and the general public. Communicate effectively with all devices and equipment utilize within this role to function as the liaison.

## **Physical Requirements**

This work requires the occasional exertion of up to 50 pounds of force occasionally, up to 20 pounds of force frequently and up to 10 pounds of force regularly. Work requires climbing, balancing, kneeling, standing, walking, speaking or hearing and using hands to finger, handle or feel and frequently sitting, reaching with hands and arms and lifting; work has standard vision requirements; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word levels; work requires preparing and analyzing written or computer data, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

## **Desirable Education and Experience**

High school diploma or GED, or equivalent combination of education and experience. Advanced education in criminal justice, park management, or related field is desired.

## **Additional Requirements**

Possession of or ability to obtain Division of Criminal Information (DCI) certification within six months.

A Valid driver's license in the State of North Carolina.

# Salisbury City Council Agenda Item Request Form



Please Select Submission Category:  Public  Council  Manager  Staff

Requested Council Meeting Date: November 8, 2023

Name of Group(s) or Individual(s) Making Request: Community Planning Services

Name of Presenter(s): Hannah Jacobson, Planning and Neighborhoods Director

Requested Agenda Item: 10-Year Housing Strategy Survey Announcement

**Description of Requested Agenda Item:** Residents of Salisbury are encouraged to share their experiences, perceptions, and opinions of housing in the city by taking an online survey. The survey will help shape future policies and spending priorities related to related housing and community development. The survey is available online, available through the city's website at [www.salisburync.gov/housing](http://www.salisburync.gov/housing) or directly via a QR code. Paper copies will be available to those who request them. The survey will be launched October 16<sup>th</sup> and is expected to remain open through the end of November.

Attachments:  Yes  No

**Fiscal Note:** *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)* Funding is included in the FY2023-2024 Budget

Action Requested of Council for Agenda Item: No action requested.

Contact Information for Group or Individual: Hannah Jacobson, [hannah.jacobson@salisburync.gov](mailto:hannah.jacobson@salisburync.gov), 704-638-5230

**Consent Agenda** (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

**Regular Agenda** (item to be discussed and possibly voted on by Council)

## FINANCE DEPARTMENT INFORMATION:

\_\_\_\_\_  
Finance Manager Signature

\_\_\_\_\_  
Department Head Signature

\_\_\_\_\_  
Budget Manager Signature

**\*\*\*All agenda items must be submitted at least 7 days before the requested Council meeting date\*\*\***

# Salisbury City Council Agenda Item Request Form

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For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

# Housing Survey

Encuesta de Vivienda



**YOUR OPINION MATTERS  
SU OPINIÓN IMPORTA**



Tell us what you think about  
housing in Salisbury, NC.  
Cuéntanos qué piensas sobre la vi-  
enda en Salisbury, NC.

**TAKE THE SURVEY  
COMPLETE LA ENCUESTA**

<https://www.surveylegend.com/s/57p7>