



City of Salisbury

North Carolina

COUNCIL MEETING AGENDA

October 3, 2023
6:00 p.m.

The meeting will be held in a hybrid format and will be streamed live at 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 October 3, 2023 by contacting Connie Snyder at 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. Mayor to proclaim the following observances:

FIRE PREVENTION WEEK
CYBERSECURITY AWARENESS MONTH

October 8-14, 2023
October 2023

6. Council to consider the CONSENT AGENDA:
 - (a) Approve Minutes of the special meeting of September 12, 2023 and the special and regular meetings of September 19, 2023.
 - (b) Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$2,500 to appropriate a donation for a downtown sustainability initiative.
 - (c) Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$3,000 to appropriate donations for expenses related to Festival De Independencia.
 - (d) Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$18,970 to appropriate revenue for the Public Art Commission.
 - (e) Authorize the City Manager to execute a contract with Duke's Root Control, Inc. in the amount of \$125,350 for the Grant's Creek sewer interceptor inspection services. The project is included in Salisbury-Rowan Utilities' Capital Improvement Plan and funding is included in the FY2023-2024 budget.
 - (f) Authorize the City Manager to execute a contract with Veolia Water Technologies, Inc. in the amount of \$241,866.40 for the Water Treatment Plant Suspension Control and Data Acquisition (SCADA) Improvements Project. The project is included in Salisbury-Rowan Utilities Capital Improvement Plan and funding is included in the FY2023-2024 budget.

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- (g) Authorize the City Manager to approve Purchase Order 240432 in the amount of \$170,412.90 for the purchase of a Ford F550 regular cab truck for the Public Works Department. This item was purchase on a state contract and is included in the FY2023-2024 budget.
 - (h) Receive an incentive grant request for personal property investment for “Project Crowe” and set a public hearing for October 17, 2023 to receive public input. The company is considering the 713,000 square foot building currently under construction by Crowe Holdings located on Peeler Road as a location for its new facility. The request is for a three-year incentive grant equal to 90% of the new taxes paid on the estimated \$11.92 million taxable investment. The total estimated value of the grant is \$184,376 and will be paid in annual installments for a term not to exceed three years. The Economic Development Commission plans to ask the Board of Commissioners to also consider a request at its October 16, 2023 meeting.
7. 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.
8. Council to consider closing an unimproved portion of Cherry Street located off the 500 block of Morlan Park Road: *(Presenter – City Engineer Wendy Brindle)*
- (a) Receive a presentation from staff
 - (b) Hold a public hearing
 - (c) Consider adopting a Resolution accepting an offer of dedication of the right-of-way
 - (d) Consider approving an Order closing the unimproved portion of Cherry Street.
9. Council to consider the voluntary satellite annexation of 40.31 acres located on 1810 Enon Church Road and identified as Tax Map 329 and Parcels 030 and 385, effective October 3, 2023: *(Presenter – Planning and Neighborhoods Director Hannah Jacobson)*
- (a) Receive a presentation from staff
 - (b) Hold a public hearing
 - (c) Consider adopting an Ordinance annexing the property located at 1810 Enon Church Road
10. Council to consider authorizing the City Manager to execute contracts with Garland/DBS, Inc. in the amount of \$26,003.34 for the purchase of materials and with GMG Roofing in the amount of \$43,012 for the installation of the single story roof on the east side of Hall Gym. *(Presenter – Public Works Director Chris Tester)*
11. Council to consider authorizing the City Manager to execute an agreement with Ellis Land Investment Company, LLC in the amount of \$200,000 for the Concord Grove sewer infrastructure improvements. *(Presenter – Salisbury-Rowan Utilities Assistant Director Jason Wilson)*
12. City Attorney’s Report.
13. City Manager’s Report.
14. Council’s Comments.

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15. Mayor Pro Tem's Comments.

16. Mayor's Announcements and Comments.

- (a) The 13th annual BlockWork neighborhood improvement project will take place Saturday, October 28th 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 by Friday, October 20th.
- (b) The Salisbury Sculpture Show, hosted by the Public Art Commission, is returning for its 16th year: Neighborhoods can apply to host a sculpture in the upcoming sculpture show by completing an online application at www.salisburync.gov/NeighborhoodSculpture. Selected neighborhoods will display a sculpture from April 2024 until March 2025. There is no fee to apply. Applications are due by December 22nd. Artists are invited to submit their outdoor pieces for consideration in the art installation program by Friday, December 22nd. Work from individuals and teams will be considered; student work is encouraged. The application fee is \$30. For more information or to apply visit www.salisburync.gov/Sculptureshow.

16. Adjourn.



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, the City of Salisbury is committed to ensuring the safety and security of all those living in and visiting Salisbury; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and people are at greatest risk from fire in their homes as home fires claimed the lives of more than 2,800 people in the United States in 2021, and fire departments responded to 338,000 home fires according to the National Fire Protection Association, and

WHEREAS, cooking is the leading cause of home fires in the United States where fire departments responded to more than 166,400 home fires annually between 2016 and 2020, and two of every five home fires start in the kitchen with 31% of these fires resulting from unattended cooking; and

WHEREAS, more than half of reported non-fatal home cooking fire injuries occurred when the victims tried to fight the fire themselves; and

WHEREAS, residents should turn pot handles toward the back of the stove; always keep a lid nearby when cooking; keep a three-foot kid-free zone around the stove, oven, and other things that could get hot; watch what they heat; and set a timer to remind them that they are cooking; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and working smoke alarms cut the risk of dying in reported home fires almost in half; and

WHEREAS, first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and Salisbury's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire; and

WHEREAS, the 2023 Fire Prevention Week theme, "Cooking safety starts with YOU. Pay attention to fire prevention," effectively serves to remind us to stay alert and use caution when cooking to reduce the risk of kitchen fires.

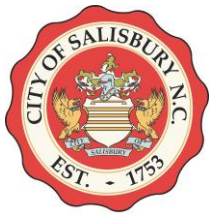
NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM the week of October 8 through 14, 2023 as

FIRE PREVENTION WEEK

in Salisbury, and urge citizens to check their kitchens for fire hazards and use safe cooking practices during Fire Prevention Week, and to support the many public safety activities and efforts of the Salisbury Fire Department.

This the 3rd day of October 2023.

Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, the City of Salisbury established its Cyber Security Committee in August and recognizes that it plays a vital role in identifying, protecting its citizens from, and responding to cybersecurity threats that may have significant impact to our individual and collective safety and privacy; and

WHEREAS, critical infrastructure such as financial services, educational institutions, energy, telecommunications, transportation, utilities, health care, and emergency response systems are increasingly reliant on the support of information systems and technology; and

WHEREAS, cybersecurity education and awareness are crucial for everyone, including large corporations, small businesses, financial institutions, schools, government agencies, non-profit organizations, the home user, and anyone who connects to the internet, be it with a computer, mobile phone, or other internet-connected device; and

WHEREAS, monitoring your accounts, being conscientious of what you share online, keeping computer software up to date, creating unique passwords and changing them regularly, installing antivirus programs and firewalls, and using mobile devices and other internet-connected devices safely, are ways people and organizations can protect themselves from phishing, viruses, ransomware, other types of malware, financial loss, and loss of sensitive data; and

WHEREAS, the National Institute of Standards and Technology (NIST) Cybersecurity Workforce Framework is a free resource to help organizations both large and small, public and private improve their cybersecurity practices through a practical approach to addressing the ever-evolving cybersecurity threats and challenges; and

WHEREAS, maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role to play, and awareness of essential cyber hygiene will improve the security of the City of Salisbury's information, infrastructure, and economy.

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

CYBERSECURITY AWARENESS MONTH

in Salisbury, and encourage citizens to support the 20th year of Cybersecurity Awareness Month being recognized and learn about the available resources to reduce online the risk of cyber attacks.

This the 3rd day of October 2023.

Karen K, Alexander, Mayor

Salisbury, North Carolina
September 12, 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.

Members of Council met at Atrium Ballpark located at 1 Cannon Baller Way, Kannapolis, North Carolina on Tuesday, September 12, 2023 at 4:00 p.m.

Council participated in a tour of downtown Kannapolis led by Kannapolis Mayor Darrell Hinnant and City Manager Mike Legg. The tour was followed by dinner at 5:00 p.m. and Diversity, Equity and Inclusion (DEI) training which was led by Mr. Willie Ratchford, Dr. Anthony Wade of WPR Consulting, LLC., and DEI Director Anne Little.

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 7:35 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury, North Carolina
September 19, 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 5:00 p.m. A moment of silence was taken.

ADOPTION OF THE AGENDA

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

CLOSED SESSION

Thereupon, Councilmember Post made a **motion** to go into Closed Session concerning an economic development matter as allowed by NCGS 143-318.11(a)(4) and to consult with an attorney as allowed by NCGS 143-318.11(a)(3). Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

RETURN TO OPEN SESSION

Council returned to open session. Mayor Alexander noted no action was taken in closed session.

ADJOURNMENT

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

The meeting was adjourned at 6:03 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury, North Carolina
September 19, 2023

REGULAR MEETING

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

ABSENT: None.

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

PLEDGE OF ALLEGIANCE

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

ADOPTION OF THE AGENDA

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

RECOGNITION – PARKS AND RECREATION DIRECTOR NICK ACEVES

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

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

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

PROCLAMATION

Mayor to proclaim the following observance:

CONSTITUTION WEEK

September 17-23, 2023

CONSENT AGENDA

(a) Minutes

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

(b) Budget Ordinance Amendment – Controlled Substance Tax Funds

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

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

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

(c) Budget Ordinance Amendment – Festival De Independencia

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

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

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

(d) Budget Ordinance Amendment – Hurley Park Gazebo

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

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

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

(e) Contract – Carolina Siteworks, Inc.

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

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

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

(f) Purchase Order Contract – Transit Building Roof

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

(g) Alley Closing – North Jackson Street

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

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

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

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

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

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

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

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

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

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

FY2022-2023 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT

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

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

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

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

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

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

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

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

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

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

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

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

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

GRANITE QUARRY – SALISBURY NON-ANNEXATION AGREEMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

UPDATE – CITY PROJECTS

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

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

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

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

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

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

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

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

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

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

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

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

CITY MANAGER'S COMMENTS

(a) Leaf Collection

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

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

COUNCIL COMMENTS

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

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

MAYOR PRO TEM'S COMMENTS

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

MAYOR'S ANNOUNCEMENTS AND COMMENTS

(a) Fall Spruce Up Week

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

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

ADJOURNMENT

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

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

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☒ Staff

Requested Council Meeting Date: October 3, 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 \$2,500 for programming support for a Downtown sustainability initiative.

Description of Requested Agenda Item: The City (Downtown Development) received a donation in the amount of \$2,500 for support for a Downtown sustainability initiative being developed by Downtown Development and Sustainability Coordinator, Allie Thies. 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)

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

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

AN ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE
OF THE CITY OF SALISBURY, NORTH CAROLINA TO
APPROPRIATE DONATION FROM DOWNTOWN SALISBURY, INC

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

Section 1. The City has received a donation in the amount of \$2,500 to support a downtown sustainability initiative.

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

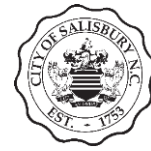
(a) That the following General Fund line items be amended as follows:

- | | | |
|-----|--|--------------------|
| (1) | Increase line item 010-496-000-5450.00
Special Projects | <u>\$ 2,500.00</u> |
| (2) | Increase line item 010-000-000-4821.10
General Fund Donations | <u>\$ 2,500.00</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: October 3, 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 \$3000.00 to help with expenses related to the Festival De Independencia Event at Bell Tower Green.

Description of Requested Agenda Item. The City has received a sponsorship/donation in the amount of \$3000.00 for expenses related to the Festival De Independencia Event 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 \$3000.00 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

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 \$3,000.00 for expenses related to the Festival De Independencia Event. 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
BTG Recreation Programs | <u>\$ 3,000.00</u> |
| (2) | Increase line item 010-000-000-4515.04
Recreation Grants and Donations | <u>\$ 3,000.00</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: October 3, 2023

Name of Group(s) or Individual(s) Making Request: Public Arts Commission

Name of Presenter(s): Alyssa Nelson, Urban Design Planner

Requested Agenda Item:

Council to consider adopting a Budget Ordinance Amendment to the FY 2023-2024 budget in the amount of \$18,970 to appropriate revenue for the Public Arts Commission.

Description of Requested Agenda Item:

The Salisbury Public Arts Commission has received a total of \$18,970 from grants, sponsors, and sculpture purchases. Including \$5,000 for the Sculpture Show from the Rowan Arts Council.

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

Adopt a budget ordinance amendment to FY 2023-2024 budget to appropriate \$18,970 to Public Art.

Contact Information for Group or Individual: Alyssa Nelson, 704.638.5235, anel@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*****

AN ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE
OF THE CITY OF SALISBURY, NORTH CAROLINA TO
APPROPRIATE PUBLIC ARTS DONATIONS

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

Section 1. The City has received donations in the amount of \$18,970 for Public Art. 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 010-491-000-5450.40
Public Art/Sculpture Show | <u>\$ 18,970.00</u> |
| (2) | Increase line item 010-000-000-4821.20
Public Art Donations and Fees | <u>\$ 18,970.00</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: October 3, 2023

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

Name of Presenter(s): Jason Wilson

Requested Agenda Item: Grants Creek Sewer Interceptor Inspection Services

Description of Requested Agenda Item: Salisbury-Rowan Utilities (SRU) issued a Request for Proposal (RFP) on August 3, 2023 for Sewer Cleaning and Television Inspection Services of the 42" Grants Creek Interceptor. Six (6) responses were received on August 31, 2023 and evaluated utilizing the qualifications-based selection criteria specified in the RFP. Based on those criteria, SRU selected Duke's Root Control, Inc. to provide inspections services for the 42" diameter portion of the Grants Creek sewer interceptor. As such, SRU recommends awarding a contract to Duke's in the amount of \$125,350. This project is included in SRU's 10-year Capital Improvement Plan (CIP) and funds have been allocated in the FY24 budget.

Attachments: ☒ Yes ☐ No

Fiscal Note: Sufficient funds have been allocated in SRU's FY24 budget for this contract.

Action Requested of Council for Agenda Item: Council to consider authorizing the City Manager to execute a contract with Duke's Root Control, Inc. in the amount of \$125,350 for the Grants Creek Sewer Interceptor Inspection services.

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

Qualifications-Based Selection Criteria (Composite)

42" Grants Creek Interceptor Sewer Cleaning and CCTV

Criteria	Max. %	Redzone	Pipe Pros	Duke's	CCSI	Vision	Bio-Nomics
Project Team and Capabilities (strength and experience on similar projects)	20%	20	12.5	17.5	17.5	18.75	17.5
Relevant similar project experience of the firm and project team members	25%	25	12.5	22.5	20	22.5	22.5
Track record on past projects in delivering quality professional services in a timely manner for the City of Salisbury	15%	11.25	7.5	11.25	0	6.25	10
Proposed project schedule and timeliness in completing the work	15%	15	12.5	12.5	10	15	12.5
Project pricing	25%	17.5	7.5	25	2.5	17.5	5
Total	100%	88.75	52.5	88.75	50	80	67.5
Any special or unusual Terms and Conditions to discuss / take into consideration	*						

Exhibit B

PROPOSED UNIT PRICES AND PROJECT SCHEDULE

The Contractor will be paid via unit prices for the various work items specified below. The descriptions of each cost item are described further herein. Approximate quantities are listed below. These quantities are not guaranteed. Payment will be made based on the actual work performed under the Contract. No adjustments in unit prices shall be allowed for any over-runs or under-runs in quantities. The Owner will issue a Contract based on the unit prices, anticipated work, and available budget. The Owner may have to decrease the final scope of work to meet their available budget.

	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Price</u>
1. Televis 42" Sewer	23,000 L.F.	\$ <u>5.45</u>	\$ <u>125,350.00</u>
2. Clean 42" Sewer			
a. Light Cleaning	5,000 LF	\$ <u>6.75</u>	\$ <u>33,750.00</u>
b. Heavy Cleaning	5,000 LF	\$ <u>18.50</u>	\$ <u>92,500.00</u>
3. Add-On Price for Night Work	10,000 L.F.	\$ <u>4.89</u>	\$ <u>48,900.00</u>
4. Bypass Pumping			
a. 12-inch Pump, per day	10 days	\$ <u>2,000.00</u>	\$ <u>20,000.00</u>
b. 12-inch Force Main	1,000 LF	\$ <u>51.00</u>	\$ <u>51,000.00</u>
TOTAL PRICE			\$ <u>371,500.00</u>

DESCRIPTION OF COST ITEMS

The unit prices shall include all work required to complete each work task, including all work required to access the sewers to perform the work, coordinating with property owners as necessary, traffic control, restoration of easements and access areas, coordinating with the Engineer and Owner, and all other work necessary to complete each work task as specified in Exhibit A.

The CCTV work will be paid under a single bid item (Bid Item 1) on a linear foot (LF) basis. The unit price shall include all work required to properly perform the CCTV inspections in PACP format and to submit the videos to the Engineer for review.

400 E. AIRPORT ROAD, STE E
ELGIN, IL 60123
800-447-6687 | www.dukes.com



REQUEST FOR PROPOSAL FOR

SEWER CLEANING AND TELEVISION INSPECTION SERVICES OF THE 42" GRANTS CREEK INTERCEPTOR RFP NO. 018-2024

August 31, 2023

PREPARED FOR **CITY OF SALISBURY**
PO BOX 479
SALISBURY, NC 28145



August 31, 2023

City of Salisbury

PO Box 479

Salisbury, North Carolina 28145

RE: Sewer Cleaning and Inspection Services of the 42" Grants Creek Interceptor (RFP No. 018-2024)

Since 1979, Duke's has been a leader in the sewer industry for providing chemical maintenance services to extend the life of infrastructure. Duke's has a reputation for providing effective, proven methods for controlling sewer line root problems. More than 2,000 municipalities have used Duke's to effectively treat over 400 million LF of sewers. Since that time, we have expanded our offerings to meet the ever-growing needs of local governments with innovative and quality driven sanitary sewer evaluation services. To meet that need, we now have more than 300 talented sewer professionals at Duke's, many with over 20 years of direct sewer industry experience. We are ready to collaborate, manage, and execute this program within the timelines set forth by the City. Duke's provides the capacity and equipment to handle the scope of work, and we have the skilled data quality experts to assure data integrity from start to finish. We are available to start your project this fall. We look forward to sharing our approach to your project in the pages to follow.

Your project will be directed out of our regional Pittsboro, NC office, local. Additionally, Duke's has the ability to easily reallocate staff and resources from any of our 14 branches to the City, if required, in order to keep the project on schedule and within budget.

As part of their expansion into more diverse sanitary sewer solutions, Duke's acquired Hydrostructures, P.A., a leading SSES and engineering firm based in Pittsboro, NC. The former Hydrostructures staff is now part of the Duke's team, continuing to serve clients in the inspection, evaluation, mapping and design of wastewater, stormwater and water infrastructures.

By partnering with Duke's, the City of Salisbury is assured of:

An Experienced Team Dedicated to Quality and Customer Service: We have more than 25 years of experience on similar projects with numerous municipalities across the U.S. Your project is the type of work we do every day.

Experience with Similar Work for the City: Our team has extensive experience sewer collection systems. We have a thorough understanding of systems layout and the challenges involved with accessing certain areas. We also understand the data requirements for the City, minimizing the learning curve involved with this type of project

Extensive In-House Equipment/Capabilities and Turn-Key Approach: Duke's has the in-house personnel, equipment, knowledge, and resources to ensure that the City receives a quality project. By using all in-house resources, we have more control over the schedule, cost, and quality of your project.

We look forward to the opportunity to serve the City of Salisbury on this important work. Please do not hesitate to contact me with any questions.

Sincerely,

Duke's Root Control, Inc.

Valerie Kielp | Opportunity Coordinator
800-447-6687 | bids@dukes.com

400 East Airport Road, Suite E
Elgin, Illinois 60123
800-447-6687 | www.dukes.com

EXPERIENCE IN PROVIDING THE SERVICES

The Duke's staff proposed for this project has 22 years of experience in providing services such as this. Our company and its employees are focused on the evaluation and design of public utilities, specifically water, sanitary sewer, and storm water. We have performed hundreds of similar projects throughout our history.

We stake our reputation on our work and will stand accountable to The City of Salisbury. Repeat work is predicated on our successes. Taking responsibility for our actions in the office and in the field to quickly resolve conflicts and issues is how we ensure successful projects no matter how difficult. Honest answers and the right solutions for our clients have qualified us to support and deliver on Durham's project goals. This has been our model for success as 90% of the business we do is repeat business with existing clients.

QUALITY OF PAST PERFORMANCE

Duke's has consistently met the budgets and schedules of our clients. Our goal is to go the extra mile for every client, to understand their needs and establish strong team relationships with Owners. We have a proven track record of meeting project deadlines, including inspecting thousands of manholes in the County's collection system yearly for more than 10 years. We accomplish this, for example, by adding crews, supplementing staff, and reallocating resources. We ensure quality and safety on every project. *Finally, we believe that we are accountable to the people we serve - our clients and the communities in which we work, because ultimately they are the judges of our performance.*

QUALITY AND SERVICE

We have conducted numerous projects for municipalities throughout the Southeast using these technologies and methods required for this study. While many other consultants leave cities with volumes of information and no direction, we differentiate ourselves in the following ways:

- **A rigorous Quality Assurance/Quality Control program** to reassure The City of Salisbury that the information being gathered is appropriate, detailed, accurate, timely, and per budget. Our QA/QC plan involves multiple people reviewing the field data collected and comparing it to what was expected. Because we utilize in house staff resources for field work completion, this QA/QC process ensures completeness from field data collection through to analysis and reporting.
- **We realize that City of Salisbury staff is an integral part of a diversified, well-balanced project team.** Therefore, staff will always know what's going on, where, and how long it will last. Progress meetings or phone calls will be held with Durham as appropriate to provide a schedule of planned upcoming activities, to summarize the work completed during the previous time frame, and to discuss any obstacles that have been encountered. Our business philosophy is to function as an extension of the owner's staff so that all parties are working towards a common goal. Our web based GIS tools are updated in a real time environment, so you will always know where our field team is working and progress we are making on your project. This service is free to Durham for any of its team.

COLLABORATION IS KEY TO SUCCESS

The Dukes team holds regular project sync up sessions to discuss project status, problem solve field issues and provide insight and experience from senior leadership. Partnership with our clients is important and we hold regular progress meetings, where we can work with your team to overcome obstacles and deliver the best project results.



COMPANY SUMMARY

For more than 40 years, Duke's has assisted system operators in evaluating the overall condition of their facilities, identifying specific problems or shortcomings, and designing the improvements needed to address these concerns. We offer comprehensive in-house services, including inflow/infiltration (I/I) studies, flow metering/monitoring, rain gauge installation, data collection, sanitary sewer evaluation studies, condition assessment reporting, rehabilitation design, construction inspection and management, CCTV inspection and cleaning, and Geographic Information Systems (GIS) development.

KEY MANAGEMENT

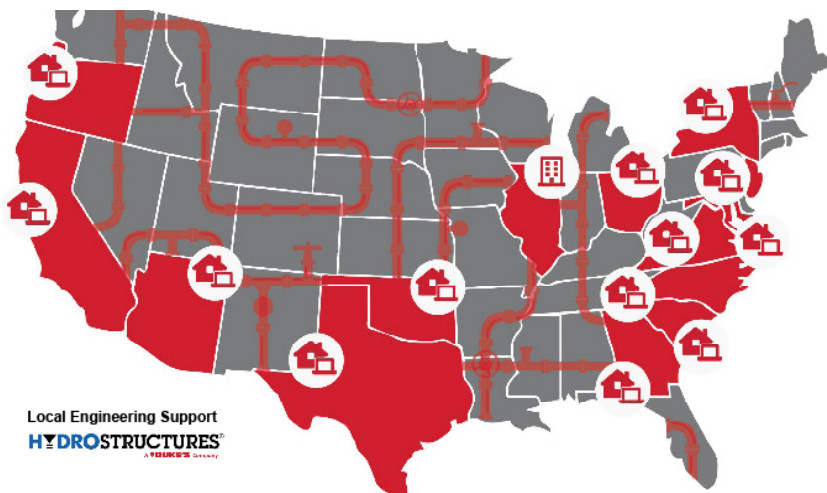
Your project will be managed by our Pittsboro, NC which is less than an hour away from Durham. Field Crews will be mobilized out from our shop in Asheboro, NC.

LOCATIONS OF OFFICES SUPPORTING THE PROJECT

Duke's Root Control, Inc. is headquartered in Elgin, IL with 14 local branches across the country. Duke's has over 300 full-time employees across these offices including eight registered Professional Engineers and more than 60 employees with NASSCO PACP/MACP/LACP certification.

Your project will be directed out of our Pittsboro, NC office located at:

126 Commerce Court, Pittsboro, NC 27312
800-447-6687



Local Engineering Support
HYDROSTRUCTURES
A DUKE'S COMPANY

IN-HOUSE CAPABILITIES

CONDITION ASSESSMENT

- Gravity Sewer Cleaning
- NASSCO MACP Level I, II, & Manned-Entry Manhole Inspection
- Panoramic SI Manhole Scanning
- Video Inspection of Sewer Mains
- Sonar Inspection
- Smoke Testing
- Flow Monitoring and I/I Analysis
- Dye Testing
- Lateral Launch Video Inspection and Locating
- Investigator Water Main Video
- Fire Hydrant Flow Testing
- Sewer Evaluation Studies
- Condition Assessment Reports
- Preliminary Engineering

GIS AND SURVEYING

- GIS Population, Editing and Mapping
- GIS Support
- Plat and Easement Preparation
- Boundary, Utility, Topographic and Property Surveys

DESIGN

- Hydraulic Modeling
- Water Distribution
- Water Main Replacement
- Capacity Analysis
- Trenchless Sewer Rehabilitation
- Sewer Relocation
- Open-Cut Replacement
- Permitting
- Preparation of Construction
- Drawings and Specifications
- Bid Administration
- Grant Application and Administration

PROJECT TEAM

PERSONNEL AND EXPERIENCE

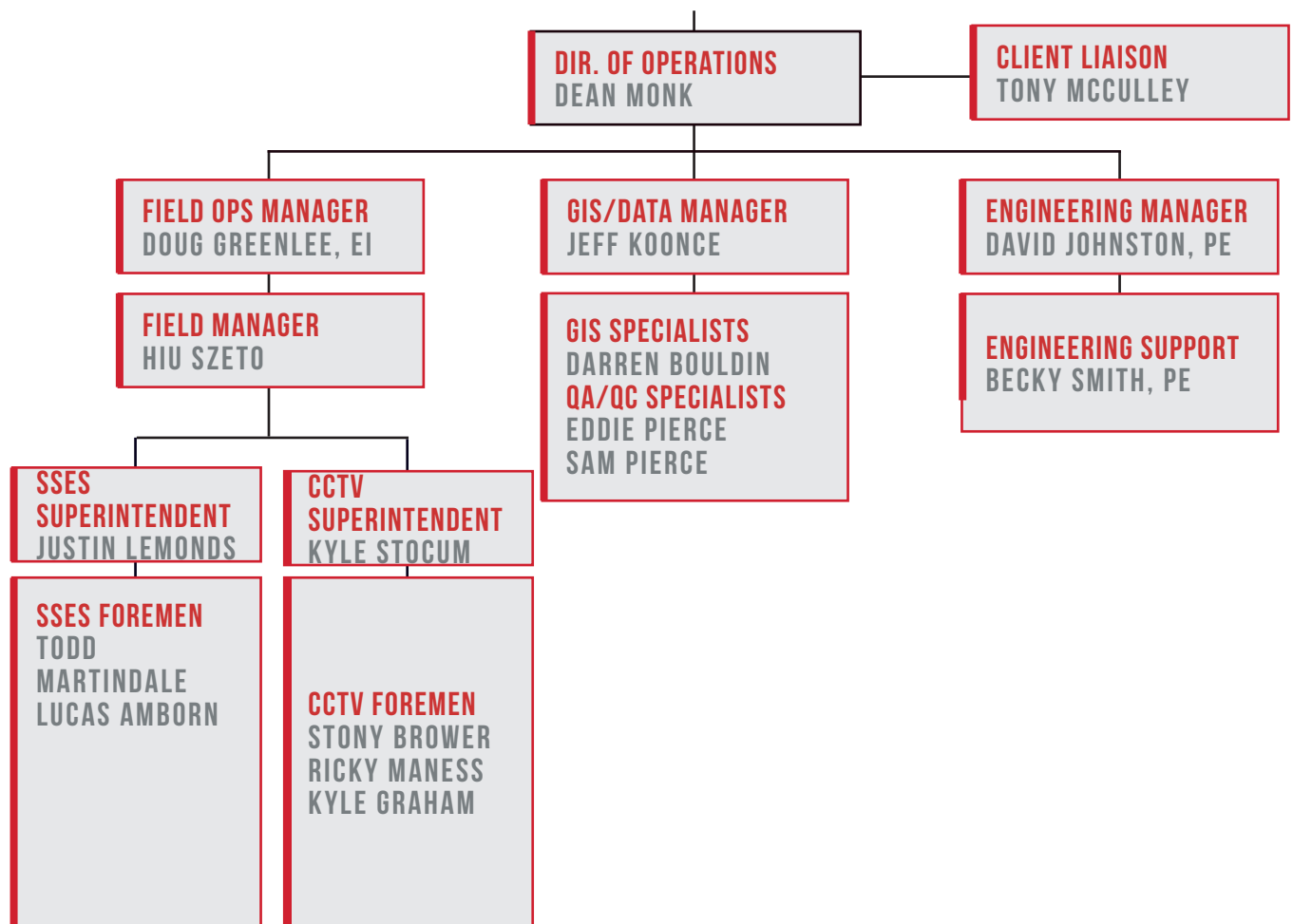
All proposed project team members are located throughout the country. Our closest field office is located in Pittsboro, NC with our Engineering Regional Division located in Cayce, SC. This team ensures timely response and accessibility to the project and project site. With your local-based team, questions are quickly answered. We pride ourselves on providing immediate response to your needs. Additionally, we understand that The City of Salisbury's team understands the management process and logistics of your system and your project. We are providing a team that can provide results and will deliver on what they promise and what you need.

Your proposed project team has a combined total of over 230 years of practical sewer industry experience. This same team has worked together on many projects throughout the Southeast. We have fun working together to bring superior results to a client. ***This team understands what it takes to ensure a successful project and exceed your expectations.***

Your proposed project team has the experience, training, and expertise specifically geared toward sewer system evaluation and inspection projects. They understand the importance of paying attention to detail, maintaining a safe work environment, and promoting public relations and goodwill in the communities in which they work.


Your key personnel includes:

CITY OF SALISBURY




NAME, ROLE, COMPANY	LOCATION, YEARS EXPERIENCE, EDUCATION, LICENSES, TRAINING	RELEVANT PROJECT EXPERIENCE
 DEAN MONK VP, OPERATIONS	<ul style="list-style-type: none"> • OSHA Confined Space Entry • OSHA 10-Hour • NASSCO PACP, MACP, LACP • Traffic Control • CPR/First Aid • MAPS Management Training • AZDEQ Grade 2 Wastewater Operations Certification 	<ul style="list-style-type: none"> • City of Los Angeles, CA - Cleaning/CCTV and Condition Assessments • Pima County, AZ - Wastewater CCTV Inspections • Los Angeles County, CA - Sanitation District CCTV

Dean will provide the staff and operational resources to execute the program. His team of project coordinators, field superintendents and field technicians will ensure that your project is done right and on time. Dean has extensive experience in managing condition assessment projects and maintenance/rehabilitation services for large, complex infrastructure systems and is dedicated to improving the industry with new technology.

 DOUG GREENLEE FIELD OPERATIONS MANAGER	<ul style="list-style-type: none"> • 30 years of industry experience • 8 years with Hydrostructures • BS, Civil Engineering, North Carolina State University • Engineering Intern, NC #A-11993 • CPR and First Aid Certified, #271573 • Confined Space Safety Training; Competent Person Safety Training • NASSCO PACP/MACP/LACP, #U-1013-0619272 • 25% available 	<ul style="list-style-type: none"> • Town of Cary (2016 - 2021) - Cleaning and Video Survey of Gravity Sewer Interceptor Lines • Charlotte Water - FY2019 CCTV and Cleaning Services • Charlotte Water - Sewer Cleaning and CCTV Services Contract 1 • Charlotte Water - Sewer Cleaning and CCTV Services Contract 2 • Fayetteville Public Works Commission - Annual CCTV and Cleaning Program • City of Shelby - Sewer Cleaning and CCTV Services • OWASA, Chapel Hill - Gravity Sewer Condition Evaluation Program, Phases 1, 2, 3 and 4
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Doug is responsible for overseeing all field work, including field crews and equipment. He will also coordinate and schedule field work and direct field activities. Doug will complete field schedules, progress reports, and submittals related to field services. He will also be responsible for quality control and assurance oversight.

 DAVID JOHNSTON, PE VP, ENGINEERING	<ul style="list-style-type: none"> • 24 years of industry experience • 13 years with Duke's • BS, Civil Engineering, North Carolina State University • Professional Engineer, Virginia #46021 • NCEES Certified • NASSCO PACP/MACP/LACP, #U-609-2231 	<ul style="list-style-type: none"> • City of Virginia Beach, VA - Sanitary Sewer Evaluation Studies and Condition Assessment Reporting • City of Virginia Beach, VA -PUCN #19-0036 SSES and Flow Monitoring • City of Virginia Beach, VA -Inflow/Infiltration Abatement Program, Phases I and II • Chesapeake Dept. of Public Utilities - SSES and Smoke Testing • Newport News Dept. of Public Utilities - SSES and Flow Monitoring
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David is an experienced manager who has worked extensively with large-scale sewer inspection and assessment projects such as this. David will oversee the engineering team that prepares the rehabilitation/repair recommendations, cost estimates and condition assessment reports for this program.

NAME, ROLE, COMPANY	LOCATION, YEARS EXPERIENCE, EDUCATION, LICENSES, TRAINING	RELEVANT PROJECT EXPERIENCE
 <p>BECKY SMITH, PE PROJECT ENGINEER</p>	<ul style="list-style-type: none"> • 32 Years' Experience • 12 years with Hydrostructures • MS, Civil Engineering, North Carolina State University • BS, Electrical Engineering, North Carolina State University • Professional Engineer, NC #25964 • NASSCO PACP/MACP/LACP, #U-113-R1558 	<ul style="list-style-type: none"> • Town of Cary (2016 - 2021) - Cleaning and Video Survey of Gravity Sewer Interceptor Lines • Town of Cary (2009 - 2015) - Video Survey and Assessment of Sanitary Sewer Interceptors • Town of Pittsboro - Credle Street Basin Sewer Rehabilitation • Raleigh Water - Wendell and Zebulon Priority Sewer Rehabilitation • Raleigh Water - Priority Sewer Siphon Rehabilitation • Moore County - NC 211 and Hwy 15/501 Interceptor Replacement and Rehabilitation • City of Durham - Martin Luther King, Jr. Drive Outfall Relocation

Becky will serve as a Project Engineer, supporting the Engineering Manager with rehabilitation/repair recommendations, cost estimates, and final report preparation

 <p>JEFF KOONCE GIS/DATA REVIEW DIVISION MANAGER</p>	<ul style="list-style-type: none"> • 19 years of industry experience • 19 years with Hydrostructures • MA, Teaching, University of North Carolina at Chapel Hill • BS, Horticulture, Clemson University • NASSCO PACP/MACP/LACP, #U-1116-07006058 	<ul style="list-style-type: none"> • Town of Cary (2016 - 2021) - Cleaning and Video Survey of Gravity Sewer Interceptor Lines • James Island Public Service District, SC - SSES and Flow Monitoring • Orange Water and Sewer Authority (Engineer: CDM Smith), Chapel Hill NC - Gravity Sewer Condition Evaluation Program, Phases 1, 2, 3, and 4 • City of Durham - ENO and ENOP Interceptor/Manhole Survey
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Jeff and his division will be involved to provide data management, analysis, review, QA/QC, and whatever data support tasks may be required. He will also work with the Town to ensure that all GIS databases meet all project requirements and are fully integrated into the Town's existing systems.

 <p>DARREN BOULDIN GIS/DATA SPECIALIST</p>	<ul style="list-style-type: none"> • 9 years of industry experience • 8 years with Hydrostructures • BS, Human Geography, East Carolina University • GIS Certificate, East Carolina University • Advanced and Coastal GIS Training • PACP/MACP/LACP Certified by NASSCO, #U-0917-07009187 • 30% available 	<ul style="list-style-type: none"> • Town of Cary (2016 - 2021) - Cleaning and Video Survey of Gravity Sewer Interceptor Lines • Raleigh Water - Critical Pipe Inspections • Winston-Salem/Forsyth County Utility Commission, NC - Water and Sewer Mapping Project • Union County Public Works - Sewer and Water System Mapping and Database Creation • City of Durham - ENO and ENOP Interceptor/Manhole Survey • Durham County - Comprehensive Manhole Inspections • Durham County - Wastewater Treatment Plant Data Processing and Sewer Map Updates
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As GIS Specialist, Darren performs various tasks assisting with the database population and coordination with the field crews. He will load project data into the field data collection software used by the crews in the field, assist with the processing and QA/QC review of field data, and will prepare all mapping for the Condition Assessment Reports.

NAME, ROLE, COMPANY	LOCATION, YEARS EXPERIENCE, EDUCATION, LICENSES, TRAINING	RELEVANT PROJECT EXPERIENCE
 EDDIE PIERCE DATA REVIEW AND QA/ QC SPECIALIST	<ul style="list-style-type: none"> • 20 years of industry experience • 15 years with Hydrostructures • Training: GIS Training; Microsoft Office; Various PACP/MACP/LACP Certified Programs; <i>IT Pipes</i>; ArcMap; WinCanV8; POSM; AutoCad • NASSCO PACP/MACP/LACP, #U-411-12494 • 40% available 	<ul style="list-style-type: none"> • Town of Cary (2016 - 2021) - Cleaning and Video Survey of Gravity Sewer Interceptor Lines • Charlotte Water - FY2019 CCTV and Cleaning Services • Charlotte Water - Sewer Cleaning and CCTV Services, Contract 1 • Charlotte Water - Sewer Cleaning and CCTV Services, Contract 2 • Union County Public Works - Sewer and Water System Mapping and Database Development • Wake Forest University Facilities Management - SSES and Rehabilitation

Eddie compiles all CCTV deliverables and ensures they meet the requirements of the project.

 JUSTIN LEMONDS SSES SUPERINTENDENT	<ul style="list-style-type: none"> • 7 years of industry experience • 17 years with Hydrostructures • NASSCO PACP/MACP/LACP, #U-113-16924 • Confined Space Entry and Rescue Certified • National Safety Council, CPR and First Aid Certified, #271572 • Safety Training: Heavy Equipment; Competent Person; Defensive Driving • 25% available 	<ul style="list-style-type: none"> • Town of Cary (2016 - 2021) - Cleaning and Video Survey of Gravity Sewer Interceptor Lines • Town of Cary (2009 - 2015) - Video Survey and Assessment of Sanitary Sewer Interceptors • Raleigh Water - Sewer Siphon Video Survey and Evaluation • Charlotte Water - FY2019 CCTV and Cleaning Services • Charlotte Water - Sewer Cleaning and CCTV Services Contract 1 • Charlotte Water - Sewer Cleaning and CCTV Services Contract 2
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Justin oversees the performance of the field investigations, data gathering, manhole inspections, smoke and dye testing and other issues as they pertain to I/I Studies and SSES. He directs the tasks of three SSES crews.

 KYLE STOCUM CCTV SUPERINTENDENT	<ul style="list-style-type: none"> • 17 years of industry experience • 17 years with Hydrostructures • Confined Space Entry and Rescue Training • CPR and First Aid Certified, #959023 • Safety Training: Competent Person; Heavy Equipment; Defensive Driving • NASSCO PACP/MACP/LACP, #U-113-16920 • 50% available 	<ul style="list-style-type: none"> • Town of Cary (2016 - 2021) - Cleaning and Video Survey of Gravity Sewer Interceptor Lines • Town of Cary (2009 - 2015) - Video Survey and Assessment of Sanitary Sewer Interceptors • Charlotte Water - FY2019 CCTV and Cleaning Services • Charlotte Water - Sewer Cleaning and CCTV Services Contract 1 • Charlotte Water - Sewer Cleaning and CCTV Services Contract 2 • City of Fayetteville - System-Wide Stormwater Evaluation/CCTV Inspection and Cleaning
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Kyle serves as the a Superintendent on cleaning/CCTV inspection projects, directing and actively participating in both the cleaning and internal inspection of all lines included in a project. Over the past 16 years, he has cleaned and inspected more than 1,000,000 LF of gravity sewer mains ranging in size from 4-inch to 72-inch in all types of locations. Kyle's crew worked extensively on the previous Cary Interceptor projects for Hydrostructures.

PROJECT REFERENCES

A small sample of our similar projects can be found below. All projects shown were completed within budget and schedule parameters. Please feel free to contact any of these references regarding our work.

PROJECT/LOCATION/OWNER	OWNER CONTACT	SCOPE OF SERVICES, LINEAR FEET AND PIPE DIAMETERS	CONTRACT DATES/ FEE
CLEANING AND VIDEO SURVEY OF GRAVITY SEWER INTERCEPTOR Town of Cary, NC	Paul Campbell 919-319-4544 paul.campbell@townofcary.org	<ul style="list-style-type: none"> Sewer cleaning and video inspection - 470,000 LF 8- to 54- inch gravity sewer Condition Assessment Rehabilitation/Repair recommendations 	2016 - 2021 \$2,590,000
CCTV AND CLEANING SERVICES City of Durham, NC	Harmon Henderson, PE 919-560-4381, x 35285 hardmon.henderson@durhamnc.gov	<ul style="list-style-type: none"> CCTV inspection and cleaning of 93,000 LF of 6- to 48-inch pipe CCTV data successfully synced with Durham IT Pipes GIS database submittals weekly Data submitted in accordance with NASSCO PACP guidelines 	2018 - 2019 \$453,000
FY 19 SEWER CLEANING AND CCTV SERVICES Charlotte Water, NC	Eric Jones 704-432-1545	<ul style="list-style-type: none"> CCTV inspection and cleaning of 810,000 LF of 6- to 24-inch sanitary sewer pipe 	2016 - Ongoing \$3,004,000
CCTV INSPECTION OF SANITARY SEWER PIPE Fayetteville PWC, NC	Marty Tew Field Supervisor 910-223-4761 marty.tew@faypwc.com	<ul style="list-style-type: none"> CCTV inspection and cleaning - primarily off-road interceptors 811,881 LF of sanitary sewer pipe, 18- to 48-inch 	2015 - Ongoing \$1,823,847
CLEANING, CCTV AND SMOKE TESTING City of Greensboro, NC	Mario Edouard, PE Engineering Supervisor 336-373-2527 mario.edouard@greensboro-nc.gov	<ul style="list-style-type: none"> Cleaning and CCTV Inspection of approximately 140,000 LF of Sewer Mains Smoke Testing of approximately 200,000 LF Cleaning of Several Large Pump Stations 	2022 - Ongoing \$350,000

PROJECT/LOCATION/OWNER	OWNER CONTACT	SCOPE OF SERVICES, LINEAR FEET AND PIPE DIAMETERS	CONTRACT DATES/ FEE
SSES AND FLOW MONITORING PROGRAM #1 Virginia Beach, VA	Keith Havron Project Manager 757-385-8845 khavron@vbgov.com	<ul style="list-style-type: none"> Over the past 10 years, we have evaluated over 60% of the City's Sanitary Sewer basins, completed more than 2.3 million LF of smoke testing; more than 3.2 million LF of CCTV pipe inspections; and inspected over 15,000 manholes 	July 2018-Ongoing \$5,000,000
CLEANING OF SPOUT RUN SANITARY DEEP SEWER LINE Arlington, VA	Hisham Wahdan Construction Management Specialist 571-364-5266 hwahdan@arlingtonva.us	<ul style="list-style-type: none"> Cleaning and CCTV Inspection of 3,374 LF of 33-inch sewer Sonar Inspection Debris Removal and Disposal Traffic Control 	June - August 2019 \$421,750
SSES & FLOW MONITORING JAMES ISLAND PUBLIC SERVICE DISTRICT (JIPSD) Charleston, SC	Mr. David Hoffman, Jr. Director of Wastewater Services 843.762.5258 hoffmand@jipsd@org	<ul style="list-style-type: none"> 400,000 LF 6" - 24" Sanitary Sewer Line CCTV Inspections & Cleaning 3,200 Manhole Inspections 760,000 LF Smoke Testing Flow Monitoring all related tasks 	2016 - Ongoing \$1,823,847

EXHIBIT B

A REPUTATION FOR TRUST

At Duke's, our mission is to provide unparalleled personal service with the knowledge and expertise of our team, offering cost-effective solutions and innovative design.

We are consistent leaders in the fields of water, wastewater, and stormwater consulting, specializing in the inspection, evaluation, mapping, rehabilitation, and design of these infrastructure systems. With a quality team of highly-motivated experts, our strength stems from our commitment to clients, employees, our industry, and the communities we serve.



400 E. Airport Road, Suite E

Elgin, Illinois 60123

800-447-6687 | www.dukes.com

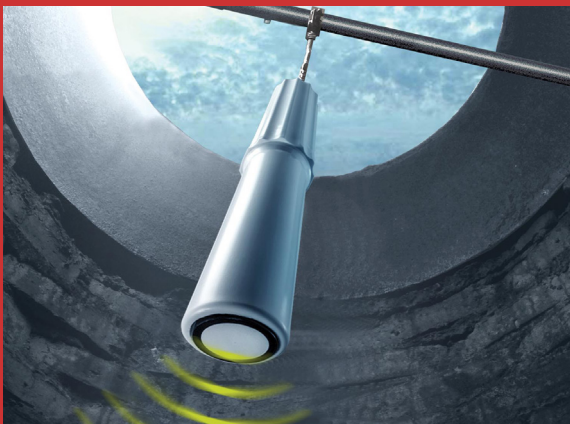
CCTV/SONAR INSPECTION

Duke's will perform television inspection and sonar of sewer mains identified for visual assessment. The pipe will be inspected using a combined CCTV/Sonar inspection unit. The CCTV camera will document the condition of the pipe above the flow line and the sonar head will document any debris or defects below the flow line. Cleaning should not be necessary for camera access given the large pipe diameter and will not be performed. The CCTV/Sonar system will primarily be floated down the pipe with a traditional tractor driven setup being used if flows are too low for the float.

Our certified Operator will capture the location of any structural defects, operation and maintenance defects and construction features (material changes, service locations, etc.) and conduct the inspection according to NASSCO PACP standards. Pipes will be inspected via robotic camera with wheeled tractor or floated (dependent upon flow levels).

Deliverables - Video inspections will be recorded using a NASSCO PACP version 6.0 compliant software. Our certified operator will capture the location of any structural defects, operation and maintenance defects and construction features (material changes, etc.). The inspection will be stored according to facility identification and manhole numbers. Data deliverable will include all videos and database.

Sonar profiling/scanning is used to assess the condition and estimating debris volume underneath the surface of the flow. The sonar transducer projects a narrow beam of acoustic energy that bounces off the pipe wall or debris, etc. and the echo is received by the sonar receiver. The echo is amplified and displayed by software using a pattern of colors to display the strength of acoustic signal which gives an indication of the type of surface that the beam has swept over ranging from the strongest targets in red to the weakest in blue. The image created by the acoustic beam provides a profile of the interior of the pipe that can then be evaluated for pipe roundness, pipe defects and debris levels. A debris profile showing the quantity of debris throughout the pipe will also be generated and included in the data deliverable.



RESOURCE AVAILABILITY MEANS WE CAN GET STARTED RIGHT AWAY!

Our turn-key solution provides you with one contact for the duration of the project. Our offices have the ability to communicate, share data, and access resources at any time during this

project. We can provide the you with our services quickly, effectively, and efficiently.

We are ready to get started immediately!

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☒ Staff

Requested Council Meeting Date: October 3, 2023

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

Name of Presenter(s): Jason Wilson

Requested Agenda Item: Water Treatment Plant SCADA Improvements – Phase 1

Description of Requested Agenda Item: Salisbury-Rowan Utilities (SRU) requested and has received a proposal from Veolia (formerly Kruger) for improvements to the controls associated with the Actiflo pre-treatment system at the Water Treatment Plant (WTP). Kruger was the original vendor for the initial installation of the Actiflo system, which is a proprietary technology. As such, SRU requests authorization to proceed with a sole-source contract in the amount of \$241,866.40 for equipment, design, programming and installation associated with the initial phase of the WTP SCADA Improvements project. This project is included in SRU's 10-year Capital Improvement Plan (CIP) and funds have been allocated in the FY24 budget.

North Carolina General Statute 143-129(e)(6) allows for "Purchases of apparatus, supplies, materials, or equipment when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. Notwithstanding any other provision of this section, the governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract."

Attachments: ☒ Yes ☐ No

Fiscal Note: Sufficient funds have been allocated in SRU's FY24 budget for this contract.

Action Requested of Council for Agenda Item: Council to consider authorizing the City Manager to execute a contract with Veolia Water Technologies, Inc. (dba Kruger) in the amount of \$241,866.40 for equipment and services associated with the Water Treatment Plant SCADA Improvements project.

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:

Salisbury City Council Agenda Item Request Form



M. O'Donoghue

Finance Manager Signature

Jason H. Wilson

Department Head Signature

Tracey Keyes

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:



Veolia Codes: SO
PO

QUOTE

Veolia Water Technologies, Inc. (dba Kruger)
1500 Garner Road, Suite C
Raleigh, North Carolina 27610 USA
PHONE 888-578-4378 FAX 919-661-4568

QUOTE NO: 09142023
QUOTE DATE: 9/14/2023
EXPIRATION DATE: 10/9/2023
This quote is valid for 25 days

FROM

Chris Evans
Aftermarket Regional Manager - East
919.455.1522
Chris.Evans@veolia.com

Contact Name: Lee Bouknight
Phone: (704) 638-5273
Email: lbouk@salisburync.gov

Company: Salisbury-Rowan Utilities
Address: 1 Water Street
Salisbury, North Carolina 28144

Sales Person	Job	EQUIPMENT SERIAL #.	Payment Terms	DELIVERY TERMS	DELIVERY SCHEDULE
CLE	Salisbury WTP, NC	PLC	40% At Signing; 35% Parts Delivered On-Site; 25% Program Installation	DDP, Prepaid & Add Destination*	2 - 4 Weeks, otherwise noted
QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	LINE TOTAL	
1	CEPWGU316537	POWER SUPPLY,QUINT-PS 1AC/24DC/ 5 (LEAD TIME 14- 16 WEEKS)	\$468.20	\$468.20	
1	CESWGU347089	INDUSTRIAL ETHERNET SWITCH	\$199.80	\$199.80	
1	CETGGU316869	CHASSIS,17 SLOTS,CONTROLLOGIX	\$1,418.93	\$1,418.93	
1	CEPWGU317994	LOGIX POWER SUPPLY 85-265VAC5V AT 13A	\$1,777.17	\$1,777.17	
1	VWS#TBD	CONTROLLOGIX 32 MB CONTROLLER	\$25,790.14	\$25,790.14	
2	CEMDGU316859	MODULE,A/I,16 PT CONTROLLOGIX	\$4,673.41	\$9,346.82	
4	CEXSP357924	CARD,OUTPUT,ANALOG,8 POINT	\$11,115.23	\$44,460.92	
4	VWS#TBD	CONTROLLOGIX 32 PT 12/24V DC D/I MODULE	\$2,905.24	\$11,620.96	
2	CEMDGU304215	PLC MODULE,32 POINT,D/O CONTROLLOGIX	\$2,107.94	\$4,215.88	
3	CEMDGU201553	PLC MODULE SLOT FILLER CONTROLLOGIX	\$146.03	\$438.09	
1	CEPAGU363243	PANELVIEW PLUS 7, 10 IN SCREEN PERF, DLR ETH PORT,24V DC	\$6,955.34	\$6,955.34	
		120 hours of In-House Labor. In-House labor includes PLC programing & design of electrical drawings.		\$25,160.00	
		Veolia expert to install components realted to the Allen Bradley swap in the PLC panel, install/load new programming, confirm correct operations on the Actiflo. Cost includes all expenses for travel, per diem, hotel, and rental car.		\$108,814.15	
		Assist with Loop Checkout verification of ACTIFLO™ equipment and instrumentation. Kruger is not responsible for correcting any failures, wiring problems, network communications incompatibilities or other issues of equipment or instrumentation wired or networked to the ACTIFLO™ Control Panel. *ANY DELAYS CAUSING EXTRA ONSITE SUPPORT WILL REQUIRE AN ADDITIONAL QUOTE SIGNED AND RETURNED FOR THE WORK PRIOR TO TRAVEL* Any additional conduit needing ran or wiring pulled/terminated will need to be supplied by others.			
		[[Confidential, Do not share with third parties]]			
ALL PRICES SUBJECT TO COST AND AVAILABILITY AT TIME OF ORDER. PRICES EXCLUDES PACKAGING, FREIGHT (INTERNATIONAL & DOMESTIC),CUSTOMS, DUTIES, BROKERAGE, FEES AND APPLICABLE TAXES. PRICES EXCLUDES INSTALLATION LABOR, STARTUP, & TRAINING SHIPPING CHARGES ARE PREPAID AND ADDED TO THE INVOICE ORYOUR FREIGHT ACCOUNT. MINIMUM ORDER \$50.00.				SUBTOTAL	\$240,666.40
				ESTIMATED FREIGHT*	\$1,200.00
				Sales Tax	If Applicable
				Total USD	\$241,866.40

*If customer's shipping method is preferred (FOB), enter your freight carrier & account number:

A SIGNED QUOTATION IS REQUIRED TO PROCESS ORDER. PLEASE SIGN BELOW.

Signed By: _____ Date: _____

Click or browse to URL(s) below for applicable Terms and Conditions

<https://www.veoliawatertech.com/sites/g/files/dvc3601/files/document/2023/05/Service%20Only%20Terms.pdf>
<https://www.veoliawatertech.com/sites/g/files/dvc3601/files/document/2023/05/Parts%20Only%20Terms.pdf>



QUOTE NO: 09142023

QUOTE

Company information - Please complete this section if you have not previously provided this information.

Company Name:	_____
Shipping Address:	_____
City/State/Zip:	_____
Telephone number:	_____
Fax number:	_____

(OPTIONAL) Credit Card Section - Please complete this section if you prefer to pay by credit card.

<input type="checkbox"/> Visa	<input type="checkbox"/> MasterCard	<input type="checkbox"/> AMEX
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I/We understand that the part(s), invoice(s) or sales orders(s) ordered / listed above will be charged to the credit card noted upon order acknowledgement. Additionally, items ordered will not be processed until confirmation/authorization of charge is made. If the charge is for labor, a charge confirmation/authorization will be performed prior to labor commencement. If the credit card is denied, Kruger will notify the cardholder to obtain an alternative form of payment prior to processing the order

Card Number:	_____
Expiration Date:	_____
Authorization (CID) #:	_____
3 digit # located on back of card	_____
Card Holder Name:	_____
Card Holder Phone #:	_____
Company Name:	_____
Billing Address:	_____
City/State/Zip:	_____

My signature below is my company's acknowledgement and acceptance of this order including all stated terms and conditions, is an acknowledgement that I am authorized to sign this document on behalf of my company, and further authorizes Kruger to use the information entered in this section (if any) to process credit card payment for this order.

Signed by: _____	Date: _____
Printed Name: _____	Title: _____

•IF YOU SUBMIT A PO, PLEASE REFERENCE VEOLIA WATER TECHNOLOGIES, INC. (DBA KRUGER) QUOTATION NUMBER TO PROCESS ORDER.
•The Buyer is responsible for inspecting the equipment upon delivery and documenting any damage in writing on the delivery tickets. Signing delivery tickets without the notation of damage or missing items deems the equipment acceptable.
•The pricing is expressly contingent upon the items in this quotation & is subject all terms stated herein, including all attached Veolia Water Technologies, Inc. (dba Kruger) Standard Terms of Sale. No additional terms contained within Owner's and/or Engineer's Plans, Specifications & Purchase Orders shall apply to nor become a part of this Quote.
•Except in the case where there are active, applicable, and mutually executed terms and conditions in place between Veolia and Purchaser prior to issuance of this Quotation, the Parts and/or Services provided are subject to the terms and conditions linked above. These terms and conditions will not change, but please print and include with your records if necessary.

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☒ Staff

Requested Council Meeting Date: October 3, 2023

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

Name of Presenter(s):

Requested Agenda Item: Council to consider approving the purchase of PO #240432

Description of Requested Agenda Item: Approve Purchase Order:

PO #240432 - Piedmont Truck Center - F550 Regular Cab Truck - \$170,412.90

This item was purchase on a state contract and is included in the FY2023-2024 budget.

Attachments: ☐ Yes ☒ No

Fiscal Note: Items are included in the FY2024 Budget.

Action Requested of Council for Agenda Item: Authorize the City Manager to approve Purchase Order 240432 in the amount of \$170,412.90 for the purchase of a Ford F550 regular cab truck for the Public Works Department.

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) Announcement

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:

Salisbury City Council

Agenda Item Request Form



Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☐ Staff

Requested Council Meeting Date: *October 3, 2023*

Name of Group(s) or Individual(s) Making Request: *Rowan EDC*

Name of Presenter(s): *Scott Shelton*

Requested Agenda Item: *Request for Public Hearing – EDC ‘Project Crowe’*

Description of Requested Agenda Item: The Rowan EDC requests that Council schedule a public hearing for October 17, 2023 to receive public input and to consider a potential incentive offer for ‘Project Crowe.’ The company is considering the 713,000 square foot building currently under construction by Crowe Holdings on Peeler Road as a potential location for its new facility. If the location is chosen the company will create 80 jobs over the next three years and invest approximately \$12 million in new equipment and \$29 million in additional building up-fits.

At its February 7, 2023 meeting Council awarded a three-year incentive grant to Crow Holdings equal to 90% of the new taxes paid on real property for its \$73 million investment in constructing this new facility. The request before Council is for an assistance grant that is equal to 90 % of taxes paid on the estimated \$11.92 million taxable investment. The total estimated value of the grant is \$184,376 and will be paid in annual installments for a term not to exceed 3 years. The Economic Development Commission plans to ask the Board of Commissioners to also consider a request at its October 16, 2023 meeting.

Attachments: ☒ Yes ☐ No

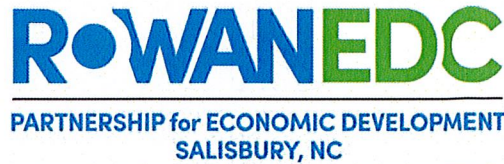
Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: Schedule a public hearing for October 17, 2023.

Contact Information for Group or Individual: *Scott Shelton (704.637.5526 / scott@rowanedic.com)*

☒ **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)



Be an original.

Date: September 25, 2023
To: Karen Alexander, Mayor
Cc: Jim Greene, City Manager
Kelly Baker, Administrative Services Director
Connie Snyder, City Clerk
From: Scott Shelton, Vice President
Re: *Request for public hearing to consider incentive request for 'Project Crowe'*

Dear Mayor Alexander,

I respectfully request that the City Council schedule a public hearing for October 17th to consider an incentive request from 'Project Crowe.' The company behind 'Project Crowe' is considering the 713,000 square foot speculative building currently under construction by Crowe Holdings on Peeler Road as a potential location for their new facility.

If this location were chosen, the company would create 80 jobs over the next three years. While these numbers are preliminary, it is estimated that the company would also invest approximately \$12 million in new equipment as well as \$29 million in additional building upfits as part of this project.

At its February 7th meeting, the City Council awarded a three-year incentive grant to Crow Holdings equal to 90% of the new taxes paid on real property for its \$73 million investment in constructing this new facility. During this meeting, both the Rowan EDC and Crow Holdings requested, once a potential job-creating tenant is identified for the new building, that Council consider awarding an incentive grant for new investment in personal property as well.

For 'Project Crowe', the Rowan EDC is requesting that Council consider an incentive grant for personal property investment with terms identical to what was previously awarded for real property investment. This would be another three-year incentive grant equal to 90% of the new taxes paid on investment in personal property.

I look forward to providing you with detailed information regarding this request in the coming days. Please do not hesitate to contact me with any questions you may have and thank you for supporting our efforts.

Yours truly,

A handwritten signature in blue ink that reads "Scott Shelton".

Scott Shelton
Vice President

NOTICE OF PUBLIC HEARING

SUBJECT: Economic Development Incentive Offer

TIME/DATE: Tuesday, October 17, 2023 at 6:00 p.m.

Pursuant to N.C. General Statute § 158-7.1, at the time and date indicated above, the Salisbury City Council will conduct a public hearing to receive comments on an economic development incentive offer for Project Crowe. The public hearing will take place in Council Chambers located at 217 South Main Street, Salisbury, North Carolina.

Project Crowe plans to lease a facility in Salisbury and is expected to invest \$11.92 million in new equipment and create 80 new jobs.

The incentive offer consists of an assistance grant that is equal to 90% percent of taxes paid on the estimated \$11.92 million taxable investment. The total estimated value of the grant is \$184,376 and will be paid in annual installments for a term not to exceed 3 years.

Comments regarding the incentive offer may be made in writing prior to the public hearing by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145; or by sending an e-mail to csnyd@salisburync.gov. Correspondence will be forwarded to the City Council.

Persons interested in this matter are invited to attend and participate in the public hearing.

This the 5th day of October 2023.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

By: Connie B. Snyder,
City Clerk

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☒ Staff

Requested Council Meeting Date: October 3, 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 Cherry Street located off the 500 block of Morlan Park Road in accordance with NCGS 160A-299

Description of Requested Agenda Item:

On September 5, 2023, City Council adopted a resolution of intent to permanently close an unimproved portion of Cherry Street, located off the 500 block of Morlan Park Road. A public hearing was scheduled for October 3, 2023, and all notifications have been made to the public as required by state statutes.

Street and alley closings are regulated by General Statute 160A-299. In accordance with the statute, closing of a street must not be "contrary to the public interest", and no individual shall be "deprived of reasonable means of ingress and egress to his property" by the closing. Staff believes that these conditions have been satisfied.

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)*

Council to permanently close an unimproved portion of Cherry Street, located off the 500 block of Morlan Park Road

- 1) Hold a public hearing
- 2) Adopt a Resolution accepting an offer of dedication for the right-of-way
- 3) Adopt an Order to close the unimproved portion of Cherry Street

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:





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 069 Parcel 062 _____, 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:

Unimproved right of way approximately 250 foot long, 40 feet wide, located off of Morlan Park Road,

and contiguous with parcels 069 062 and 069 063

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

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 may be 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.

Thomas A. Burris	Thomas A. Burris	069 + 062	7/30/23
Printed Name	Signature	Tax Map & Parcel	Date

Rick Kirkman sr	Rick Kirkman sr	069 + 062	7-30-23
Printed Name	Signature	Tax Map & Parcel	Date

Kindrae Smith	Kindrae Smith	069 + 062	8-28-23
Printed Name	Signature	Tax Map & Parcel	Date

Eric L Smith	Eric L Smith	069 + 062	8-28-23
Printed Name	Signature	Tax Map & Parcel	Date
(Attach additional petition forms if needed)			Form Revised 11-01

Contact Person Eric Smith Telephone Number 980-621-7651

CITY OF SALISBURY

elisk3575@gmail.com

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

This plat is subject to any rights-of-way, easements, or agreements of record prior to date of survey.

LEGEND

E.I.P. = Existing Iron Pipe, as described (FOUND)
E.I.R. = Existing Iron Rod, as described (FOUND)
N.I.P. = New Iron Pin, (SET)
C.P. = Computed Point, No Physical Monumentation
R/W = Right of Way
EP = Edge of Pavement
PP = Power Pole
LP = Light Pole

Notes :

1. The ratio of precision is 1 : 10,000 +
2. This Survey is of another category, such as a recombination of existing parcels, a court-ordered survey, or other exemption or exception to the definition of subdivision.
3. Area by Coordinate Method.
4. No NCGS Monuments within 2000'.
5. This Property is not located in a water supply watershed.
6. No Title Search Performed.

ROWAN COUNTY
FILED FOR REGISTRATION AT _____ O'CLOCK _____ M.
_____, 2023 AND REGISTERED IN MAP BOOK
9995, PAGE _____
J. E. BRINDLE, REGISTER OF DEEDS
ASSISTANT/DEPUTY

I, Darryl W. Jones, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Deed Book 1251, Page 110); that the boundaries not surveyed are indicated as dashed lines drawn from information in Map Book 9995, Page 427; that the ratio of precision is 1 : 10,000 + ; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600), and was prepared in accordance with G.S. 47-30 as amended.

Witness my original signature, registration number and seal this 16 day of May, 2023.

Darryl W. Jones
Darryl W. Jones, P.L.S. (L-4331)



I, _____, Review Officer of the County of Rowan, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer

Date

N/W
**Osboleen M. Hill &
James E. Hill**
Tax Map 069, Parcel 06202
Deed Book 940, Page 291

"Morian Park"
Map Book 9995, Page 427

**Eric Smith & Wife,
Kindrae Smith**
Tax Map 069, Parcel 062
Deed Book 1251, Page 110
Zoned: UR-8

Map Book 9995, Page 6731

Southside Baptist Church

Tax Map 069, Parcel 063
Deed Book 502, Page 519
Zoned: CMX

Cherry Street
50' Street (Unopened) per
Map Book 9995, Page 427
0.285 Total Acres
To Be Closed and Combined With
Tax Map 069, Parcel 062

This is a map for recordation and does not constitute a subdivision of land.

Date _____, 2023

Subdivision Administrator - City of Salisbury, NC

Upon filing of this plat and the Road Closure Resolution in the Office of the Rowan County Register of Deeds, the Owner/Agent(s) of Tax Map 069, Parcel 063, shall then have prepared and recorded in the same Office, a deed establishing the perimeter of Tract B, to be Combined with Tract A and conveyed to the Owner of Tax Map 069, Parcel 062.

Rak Kuchner SL
Tham A. Bunn
Agent(s) - Tax Map 069, Parcel 063

8-24-23

8/27/23

Date

Upon filing of this plat and the Road Closure Resolution in the Office of the Rowan County Register of Deeds, the Owner(s) of Tax Map 069, Parcel 062, shall then have prepared and recorded in the same Office, a deed establishing the perimeter of Tract A, to be combined with Tract B, and Tax Map 069, Parcel 02, and effectively combining closed street and said parcel into one tract.

Kindrae Smith
Owner - Tax Map 069, Parcel 062
Eric Smith
Owner - Tax Map 069, Parcel 062

8/18/23

Date

8/23/23

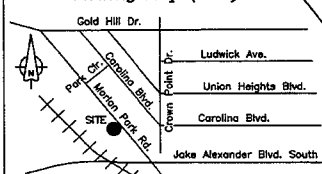
Date

Exhibit Map

Boundary Survey of
Cherry Street
50' Street (Unopened) per
Map Book 9995, Page 427
0.285 ACRES

To Be Closed and Combined With
Tax Map 069, Parcel 062
Salisbury Township, Rowan County, NC
Tax Ref : Tax Map 069, Parcel 062
Deed Ref : Deed Book 1251, Page 110
Zoning Classification : UR-8; CMX
Survey Date : August 16, 2023
Scale: 1" = 30'
0' 30' 60' 90'

Vicinity Map (NTS)



Darryl W. Jones
Professional Land Surveyor
534 Fairbluff Ave.
Salisbury, NC 28146
980-234-5189

RESOLUTION PERTAINING TO THE PROPOSED CLOSING OF AN UNIMPROVED PORTION OF CHERRY STREET LOCATED OFF THE 500 BLOCK OF MORLAN PARK ROAD

WHEREAS, the City Council of the City of Salisbury is considering a proposal to close the following:

Beginning at an existing ½" Iron Pipe, the NW corner of Southside Baptist Church (Deed Book 502, Page 519) at the SE intersection of Cherry Street and Morlan Park Road, thence with the margin of Cherry Street S 59-21-00 W a distance of 244.14' to an existing ½" Iron Pipe at the intersection with the Yadkin Railroad (100' Right of Way).

Thence with the Right of Way of the Yadkin Railroad N 38-08-53 W a distance of 51.14' to a New Iron Pin, the SW corner of Lot 20 of "Morlan Park" Subdivision, Map Book 9995, Page 427, at the NW terminus of Cherry Street.

Thence with the margin of Cherry Street and Lot 20 N 59-34-52 E a distance of 250.90' to a set nail by a bent 5/8" Iron Rod, the NW intersection of Cherry Street and Morlan Park Road at the SE corner of Lot 20.

Thence with the margin of Morlan Park Road S 30- 33-10 E a distance of 49.69' to the Point of Beginning and Being All of Cherry Street (Unopened) as shown on the Revised Map of Morlan Park recorded in Map Book 9995, Page 427, Office of the Register of Deeds for Rowan County, N.C.

WHEREAS, the City Council of Salisbury has the authority to accept the dedication of the aforementioned right-of-way for public use.

NOW, THEREFORE, be it resolved that the City Council accepts the offer of dedication for public use the aforementioned right-of-way on this 3rd day of October, 2023.

This 3rd day of October, 2023.

CITY COUNCIL OF THE CITY OF SALISBURY,
NORTH CAROLINA

By: Connie B. Snyder, NCCP
City Clerk

STATE OF NORTH CAROLINA
COUNTY OF ROWAN

BEFORE THE CITY COUNCIL OF
THE CITY OF SALISBURY
NORTH CAROLINA

IN THE MATTER OF:

CLOSING AN UNIMPROVED
PORTION OF CHERRY STREET

**ORDER CLOSING AN UNIMPROVED
PORTION OF CHERRY STREET**

THIS CAUSE, coming on to be heard and being heard before the City Council of the City of Salisbury, Rowan County, North Carolina, at the regular meeting of said Council held on October 3, 2023 at 6:00 p.m., and it appearing to the Council that persons, firms, and corporations owning property adjoining the right-of-way described in the Petition filed in this cause were properly notified of the Petition; and it further appearing that said alley is not maintained by the Department of Transportation; and it further appearing that notice of this hearing was duly published in THE SALISBURY POST on September 10, 21, 28 and October 1, 2023.

And it further appearing to the Council and the Council finding as a fact, that the closing of the right-of-way, as described in the Petition filed in this cause, is not contrary to the public interest or the property rights of any individual, and that no individual owning property in the vicinity of said alley or in the subdivision in which they are located will be deprived of reasonable means of ingress and egress to his property by the closing of said right-of-way; and it further appearing to this Council that the relief prayed in the Petition should be granted.

IT IS NOW, THEREFORE, ORDERED AND DECREED by the City Council of the City of Salisbury, Rowan County, North Carolina, pursuant to and in accordance with the authority vested in this Council by the General Statutes of North Carolina, Section 160A-299, that an unimproved portion of Cherry Street located off the 500 block of Morlan Park Road, which is more particularly described as follows:

Beginning at an existing ½" Iron Pipe, the NW corner of Southside Baptist Church (Deed Book 502, Page 519) at the SE intersection of Cherry Street and Morlan Park Road, thence with the margin of Cherry Street S 59-21-00 W a distance of 244.14' to an existing ½" Iron Pipe at the intersection with the Yadkin Railroad (100' Right of Way).

Thence with the Right of Way of the Yadkin Railroad N 38-08-53 W a distance of 51.14' to a New Iron Pin, the SW corner of Lot 20 of "Morlan Park" Subdivision, Map Book 9995, Page 427, at the NW terminus of Cherry Street.

Thence with the margin of Cherry Street and Lot 20 N 59-34-52 E a distance of 250.90' to a set nail by a bent 5/8" Iron Rod, the NW intersection of Cherry Street and Morlan Park Road at the SE corner of Lot 20.

Thence with the margin of Morlan Park Road S 30- 33-10 E a distance of 49.69' to the Point of Beginning and Being All of Cherry Street (Unopened) as shown on the Revised Map of Morlan Park recorded in Map Book 9995, Page 427, Office of the Register of Deeds for Rowan County, N.C.

Be and the same is hereby forever **CLOSED**.

This the 3rd day of October, 2023.

CITY COUNCIL OF THE CITY OF SALISBURY,
NORTH CAROLINA

BY: _____
Karen K. Alexander, Mayor

Connie B. Snyder, NCCP
City Clerk

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☒ Staff

Requested Council Meeting Date: October 3, 2023

Name of Group(s) or Individual(s) Making Request: City of Salisbury, Engineering Department

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

Requested Agenda Item: Voluntary Annexation – 1810 Enon Church Road

Description of Requested Agenda Item:

A public hearing concerning the voluntary annexation of 1810 Enon Church Road, parcels 329 030 and 329 385 was scheduled for October 3rd, 2023. The hearing has been properly advertised, and staff finds the request to meet the standards of NCGS 160A-58.1. Therefore, after the public hearing, City Council will consider adopting an Ordinance for the annexation of 40.31 acres on Enon Church Road, identified as parcels 329 030 and 329 385 effective October 3rd, 2023.

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 current tax value of the property is \$53,640. The current development plan is for residential townhomes. The value of those improvements are \$25,000,000. with future expected annual tax revenue of \$180,286. The City will incur additional costs for police and fire protection, which is indeterminable.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*
City Council to hold a public hearing and consider adoption of an Ordinance to annex parcels 329 030 and 329 385, 40.31 acres, per NCGS 160A-58.1, effective upon adoption.

Contact Information for Group or Individual:

Hannah Jacobson, 704-638-5230, Hannah.Jacobson@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:

S. Wade Funches
Finance Director Signature

Hannah Jacobson
Department Head Signature

[Signature]
Budget Manager Signature

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

“AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, TO INCLUDE 40.31 ACRES, TAX MAP 329 PARCELS 030 AND 385, 1810 ENON CHURCH ROAD.

WHEREAS, the City Council of Salisbury has been petitioned under G.S. 160A-58.1 to annex the area described herein, and the City Clerk has certified the sufficiency of said petition; and

WHEREAS, a public hearing on the question of this annexation was held virtually by City Council on October 3rd, 2023 at 6:00 p.m. after due notice by publication on September, 21st, 2023 in the Salisbury Post; and

WHEREAS, the City Council of Salisbury does find as a fact that said petition meets the requirements of G.S. 160A-58.1; and

WHEREAS, the City Council of Salisbury further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council of Salisbury further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Salisbury and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory, is hereby annexed and made part of the City of Salisbury as of the 3rd day of October 2023. The survey plat that describes the annexed territory is that certain survey plat entitled Annexation Plat (Non-Contiguous) 1810 Enon Church Road, Salisbury, NC 28147 Situated in Rowan County, dated August 24, 2023, and recorded in Book of Maps _____ Page _____, Rowan County Register of Deeds:

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SITUATE, LYING AND BEING IN THE EXTRA-TERRITORIAL JURISDICTIONAL AREA (ETJ) OF THE CITY OF SALISBURY, COUNTY OF ROWAN, STATE OF NORTH CAROLINA, SAID TRACT BEING BOUNDED ON THE WEST BY THE HEATHER MICHELLE & CLIFFORD LEWIS RIFFE(PID#329 401), THE JACKY BROWN(PID#329 172), AND THE SALISBURY HOLDINGS GROUP, LLC.(PID# 329 028) PROPERTIES, ON THE NORTH BY THE CLETUS W. & SHEILA M. LIVENGOOD TRUSTEES(PID# 329 030) PROPERTY, ON THE EAST BY WOODLEAF ROAD, SR 2048 (60'

PUBLIC RIGHT-OF-WAY), ON THE SOUTH BY ENON CHURCH ROAD, SR 1944(60' PUBLIC RIGHT-OF-WAY), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN FOUND #4 REBAR WITH GRID COORDINATES: NORTHING OF 717998.50 AND EASTING OF 1545502.82, THE NORTHEAST CORNER OF THE SALISBURY HOLDINGS GROUP, LLC. PROPERTY; THENCE ALONG WITH THE ETJ OF THE CITY OF SALISBURY THE FOLLOWING 2 CALLS: S 03°34'16" W, 286.54 FEET TO A FOUND 1 ½" IRON PIPE, A COMMON CORNER OF THE CLETUS W. & SHEILA M. LIVENGOD TRUSTEES PROPERTY AND THE ROGER DALE & MICHAEL LYNN MYERS PROPERTY AND THE PLACE AND POINT OF BEGINNING; THENCE ALONG WITH THE SOUTHERN BOUNDARY LINE OF THE CLETUS W. & SHEILA M. LIVENGOD TRUSTEES PROPERTY, N 70°00'00" E, 728.38 FEET TO AN EXISTING #5 REBAR ON THE WESTERN RIGHT-OF-WAY LINE OF WOODLEAF ROAD; THENCE CROSSING WOODLEAF ROAD N 51°03'12" E, 60.00 FEET TO A POINT ON THE EASTERN RIGHT-OF-WAY LINE OF WOODLEAF ROAD; THENCE ALONG THE EASTERN RIGHT-OF-WAY LINE THE FOLLOWING 4 CALLS: S 38°56'48" E, 20.07 FEET TO AN EXISTING 1" IRON PIPE; THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 3536.72 FEET WITH AN ARC LENGTH OF 463.25 FEET AND HAVING A CHORD BEARING OF S 35°11'30" E, 462.92 FEET TO A POINT; THENCE WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 7804.79 FEET WITH AN ARC LENGTH OF 1063.17 FEET AND HAVING A CHORD BEARING OF S 35°31'51" E, 1062.34 FEET TO A POINT; THENCE S 39°26'00" E, 101.49 FEET TO A POINT; THENCE CROSSING WOODLEAF ROAD S 50°34'00" W, 60.00 FEET TO AN EXISTING #5 REBAR, THE SOUTHEASTERN CORNER OF THE ROGER DALE MYERS PROPERTY; THENCE CROSSING ENON CHURCH ROAD S 27°44'28" E, 60.00 FEET TO A POINT ON THE SOUTHERN RIGHT-OF-WAY LINE OF ENON CHURCH ROAD; THENCE ALONG WITH THE SOUTHERN RIGHT-OF-WAY LINE OF ENON CHURCH ROAD THE FOLLOWING 3 CALLS: S 62°15'32" W, 69.28 FEET TO A POINT; THENCE WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 597.74 FEET WITH AN ARC LENGTH OF 303.82 FEET AND HAVING A CHORD BEARING OF S 76°49'12" W, 300.56 FEET TO A POINT; THENCE N 88°37'07" W, 1211.62 FEET TO A POINT; THENCE CROSSING ENON CHURCH ROAD N 02°02'06" E, 60.00 FEET TO AN EXISTING #5 REBAR, DISTANT S 88°36'58" E, 181.79 FEET FROM A FOUND AXLE, THE SOUTHWESTERN CORNER OF THE HEATHER MICHELLE & CLIFFORD LEWIS RIFFE PROPERTY; THENCE ALONG WITH COMMON BOUNDARY LINE OF THE HEATHER MICHELLE & CLIFFORD LEWIS RIFFE PROPERTY THE FOLLOWING 2 CALLS: N 02°49'22" E, 320.09 FEET TO A FOUND #4 REBAR; N 88°43'14" W, 176.60 FEET TO A FOUND #4 REBAR, A COMMON CORNER OF THE HEATHER MICHELLE & CLIFFORD LEWIS RIFFE AND THE JACKY BROWN PROPERTY, AND BEING DISTANT N 03°45'12" E, 319.94 FEET FROM A FOUND AXLE, THE SOUTHWESTERN CORNER OF THE HEATHER MICHELLE & CLIFFORD LEWIS RIFFE PROPERTY; THENCE ALONG THE COMMON BOUNDARY LINE OF THE JACKY BROWN & SALISBURY HOLDINGS GROUP, LLC. PROPERTY N 03°26'50" E, 830.69 FEET TO THE PLACE AND POINT OF **BEGINNING**, CONTAINING 40.31 ACRES MORE OR LESS.

Section 2. Upon and after the 3rd day of October, 2023, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other parts of the City of Salisbury. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

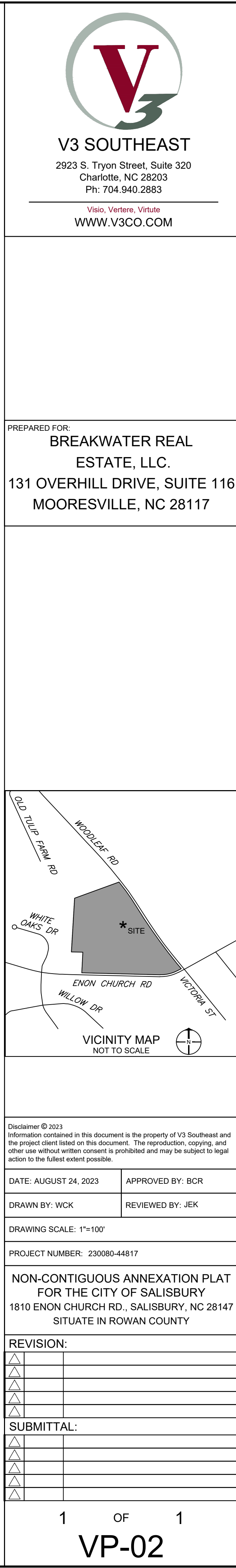
Section 3. The Mayor of the City of Salisbury shall cause to be recorded in the office of the Register of Deeds of Rowan County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy

of this ordinance. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1.”

Adopted this 3rd day of October, 2023.

Karen K. Alexander, Mayor

ATTEST: _____
Connie B. Snyder, NCCP
City Clerk



Date: 7/27/23



PETITION REQUESTING VOLUNTARY ANNEXATION
FOR 1810 Enon Church Road

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. 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 be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>329</u> PCL <u>385</u>	<u>Roger Dale Myers</u>	<u>Roger Dale Myers</u> <small>Roger Dale Myers (Aug 4, 2023 08:21 EDT)</small>	<u>6824 McPherson Clay Rd Liberty, NC 27298</u>
TM <u>329</u> PCL <u>030</u>	<u>Roger Dale Myers</u>	<u>Roger Dale Myers</u> <small>Roger Dale Myers (Aug 4, 2023 08:21 EDT)</small>	<u>6824 McPherson Clay Rd Liberty, NC 27298</u>
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____
TM _____ PCL _____	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person Austin Coleman Telephone Number 803-528-6241

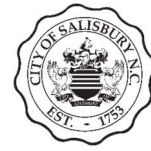
For Office Use Only:

Total number of parcels 2 Number Signed 2 % Signed 100 Date Returned 8/4/23
Contiguous per GS 160A-31 _____ or Non-contiguous "satellite" per GS 160A-58 X (check one)

CITY OF SALISBURY

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

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☒ Staff

Requested Council Meeting Date: October 3, 2023

Name of Group(s) or Individual(s) Making Request: Public Works

Name of Presenter(s): Chris Tester, Director

Requested Agenda Item: Approval of contracts for the replacement of the single-story roof on the east side of Hall Gym.

Description of Requested Agenda Item: The existing roof assembly was installed in 2001. This roof is a four-ply cold tar pitch roof and has exceeded life expectancy. The project area is 3,182 square feet. The City will contract with Garland/DBS, Inc. to purchase materials through OMNIA Partners. OMNIA Partners is a national cooperative purchasing alliance, that partners with public agencies for the solicitation of goods and services. These contracts may be used by public agencies across the country. A competitive bid process was done for installation services and GMG Roofing is the lowest responsible responsive bidder. Materials will be purchased from Garland/DBS, Inc. for \$26,003.34 and GMG Roofing will handle installation services at the cost of \$43,012.00. The total project cost will be \$ 69,015.34.

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 currently included in fiscal year 2023-2024 Budget from previously allocated ARPA monies.

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

Authorize the City Manager to enter into a contract with Garland/DBS, Inc. for the purchase of materials and a contract with GMG Roofing for the installation of these materials. The work will be performed on the east side single-story section of Hall Gym located at 1400 West Bank St.

Contact Information for Group or Individual:

Chris Tester, Public Works Director – ctest@salisburync.gov - (704) 216-7554

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

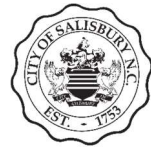
☒ **Regular Agenda** (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Salisbury City Council Agenda Item Request Form



Tracey Keyes

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:

Contractor's Bid
City of Salisbury
Hall Gymnasium Re-Roof Project

To: City of Salisbury

Bid Form Sent To: Deborah Young – dyoun@salisburync.gov

Bid Due Date: TBD

BID PROPOSAL:

BASE BID: SUM FOR SCOPE:

Base Bid – Future Office Roof Sections – 30 YEAR WARRANTY

All labor, complementary materials, services and equipment necessary for completion of the work shown in the bid package provided. Base bid is to assume and include 200 sf of lightweight concrete repair. Bidding contractors are not to include the cost of material listed in exhibit A as they will be directly purchased by the City of Salisbury (required quantities are to be listed in exhibit A spreadsheet and submitted with bid form)

Forty Three Thousand and Twelve DOLLARS (\$43,012)

Extra work may be necessary other than required by the plans and specifications, extra work will be completed according to the written instructions of the Owner for the following unit prices:

Unit Cost Items:

Repair/Replace of Lightweight Concrete - (Beyond 200sf of base bid)	<u>\$12</u>	per sq. ft.
---	-------------	-------------

Respectfully Submitted,

SIGNATURE:

Matt Meadows

TITLE:

Estimator

BUSINESS NAME:

G.M.G Inc

DATE:

09/18/2023



Garland/DBS, Inc.
3800 East 91st Street
Cleveland, OH 44105
Phone: (800) 762-8225
Fax: (216) 883-2055



Garland/OMNIA Roofing Material Purchase

Customer Name: City of Salisbury
Project Name: Hall Gymnasium Roof Project
Project Address: 1400 W Bank St. Salisbury NC 28144
OMNIA Contract: MICPA # PW1925
Proposal Date: 9-25-2023

Material (Exhibit A)	Base Bid Material Quantities	OMNIA Material Cost
StressBase80	22	\$ 4,312.44
StressPly Plus FR Mineral	44	\$ 12,501.72
Flashing Bond	0	\$ -
SilverfFlash	2	\$ 409.86
Garla-Flex	0	\$ -
GarMesh	2	\$ 162.36
HPR Tri-Base	16	\$ 4,957.92
Garla-Prime	1	\$ 154.44
Garla-Brite	5	\$ 1,470.15
Weatherking	0	\$ -
R-Mer Flat Stock Metal	15	\$ 2,034.45
Material Cost (excluding tax and freight)		\$ 26,003.34
Applicable Taxes		TBD
Freight Cost		TBD
Total (excludes tax and freight)		\$ 26,003.34

(all applicable freight and tax cost to be applied to invoice)

Purchase Request / Delivery Order Language: Garland/DBS, Inc.

PLEASE NOTE: This quotation will only cover the materials listed below and does not include the costs to install the roofing and waterproofing products that are being provided. The labor and complementary material cost is included on contractor bid forms provided

Clarifications/Exclusions:

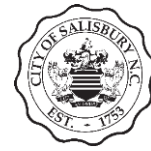
1. Applicable Sales and use taxes are not included. All applicable taxes will be added to invoice.
2. Freight cost is not included. All applicable freight charges to be added to invoice. Freight estimate for listed materials is \$1,786.00 however is subject to change.
3. Any material not exclusively described in the above proposal is excluded but included in contractors bid.

Please Note – The construction industry is experiencing unprecedented global pricing and availability pressures for many key building components. Therefore, this proposal can only be held for 30 days. Garland/DBS greatly values your business, and we are working diligently with our long-term suppliers to minimize price increases and project delays which could affect your project. Thank you for your understanding and cooperation.

Prepared by:
Zach LaRoche
The Garland Company
937-243-2643
zlaroche@garlandind.com

Salisbury City Council

Agenda Item Request Form



Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☒ Staff

Requested Council Meeting Date: October 3, 2023

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

Name of Presenter(s): Jason Wilson

Requested Agenda Item: Concord Grove Sewer Infrastructure Agreement

Description of Requested Agenda Item: Ellis Land Investment Company, LLC is developing a residential subdivision known as Concord Grove. The development will be located on 15 parcels of property totaling approximately 140.36 acres within the satellite corporate limits of China Grove. The developer desires to connect the development's sewer system to the SRU system. There are two possible connection routes: a gravity sewer extension to the north of the development or a connection to the west of the development which would require a lift station. The City's Construction Standards Manual is written to eliminate the use of lift stations where possible so as to avoid ongoing costs associated with long-term operation and maintenance of lift stations. The Construction Standards only allow developers to construct a public lift station when no gravity sewer option is available. In this case, installing gravity sewer is possible but requires that the developer cross several parcels of property owned by other property owners. The developer has contacted all of the property owners. None of the property owners have agreed to allow the developer to cross their property to install gravity sewer. Several of the property owners have objected. The City is not interested in exercising its powers of eminent domain to acquire the property rights necessary to extend public sewer from the existing main to the Concord Grove development. SRU and Ellis have met on several occasions to discuss mutually agreeable alternatives. Based on those meetings, the City is willing to allow the developer to construct a public lift station in exchange for the developer providing the City with prospective operation and maintenance costs for a period of 10 years and the developer constructing its sewer system to allow future connection to gravity sewer, when available. Ellis has agreed to pay the City the lump-sum amount of \$200,000 which represents the estimated total cost for operation and maintenance of the lift station for its estimated useful life (\$20,000 per year for 10 years).

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 Ellis Land Investment Company, LLC for the Concord Grove 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)

Salisbury City Council Agenda Item Request Form



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:

**STATE OF NORTH CAROLINA
COUNTY OF ROWAN**

**AGREEMENT FOR SEWER UTILITY COSTS BETWEEN THE CITY OF SALISBURY,
NORTH CAROLINA AND ELLIS LAND INVESTMENT COMPANY, LLC.**

This Agreement for Sewer Utility Costs (the "**Agreement**") is made this the 22nd day of September, 2023, by and between the **City of Salisbury**, a North Carolina municipal corporation (the "**City**"), and **Ellis Land Investment Company, LLC**, a North Carolina limited liability company (the "**Developer**"), (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 Concord Grove (the "Development"). The Development will be located on 15 parcels of property totaling approximately 140.36 acres within the satellite corporate limits of China Grove, North Carolina. The parcels are more particularly identified as Rowan County Parcel ID Nos.: 415-030, 416-190, 416-191, 417-002, 417-395, 417-394, 417-398, 416-188, 416-020, 416-189, 417-001, 417-399, 417-393, 417B-059, and 416-194.
- b. The City owns and operates a regional water and sewer utility known as "Salisbury-Rowan Utilities" (SRU) which serves the area in the vicinity of the Development.
- c. The Developer desires to connect the Development's sewer system to the SRU system. There are two possible connection routes: a gravity sewer extension to the north of the Development or a connection to the west of the Development which would require a lift station.
- d. The City's Construction Standards Manual ("Construction Standards") is written to eliminate the use of lift stations where possible so as to avoid ongoing costs associated with long-term maintenance of lift stations. The Construction Standards only allow developers to construct a public lift station when no gravity sewer option is available.
- e. In this case, installing gravity sewer is *possible* but requires that Developer cross several parcels of property owned by other property owners. The Developer has contacted all of the property owners. None of the property owners have agreed to allow Developer to cross their property to install gravity sewer. Several of the property owners have objected. The City is not interested in exercising its powers of eminent domain to acquire the property rights necessary to extend public sewer from the existing main to the Development.
- f. The Parties have met on several occasions to discuss mutually agreeable alternatives. Based on those meetings, the City is willing to allow Developer to construct a public lift station in exchange for: 1) Developer providing the

City with prospective maintenance costs for a period of 10 years; and 2) Developer constructing its sewer system to allow future connection to gravity sewer.

g. The Parties desire to memorialize their understanding in this Agreement.

h. This Agreement is authorized by G.S. § 160A-320.

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

- a. **Payment.** Developer agrees to pay the City the lump-sum amount of **Two Hundred Thousand and 0/100 Dollars (\$200,000.00)** (the "Payment"). The Payment represents the estimated total cost for maintenance of the lift station for its estimated useful life (\$20,000 per year for 10 years).
- b. **Timing of Payment.** The Payment is due in full prior to the City issuing construction permits for utility infrastructure in the Development.
- c. **Construct and dedicate public lift station.** Developer shall, at its own cost and expense, construct the lift station to City standards in accordance with any construction permit issued by the City and any other applicable local, state, and federal law. Upon completion by the Developer and inspection and acceptance by the City, Developer agrees to convey title to the lift station at no cost to the City and to execute any documents reasonably required to effect that conveyance.
- d. **Construct sewer system for future connection to gravity sewer.** Developer further agrees to construct the sewer system within the Development and stub it out to the property line such that the sewer system can be connected, without modification, in the event that the existing gravity sewer (currently stubbed to the north of the property and south of Interstate 85) is extended to the Development's property line. Developer shall, at its own cost and expense, make any modifications to the Development's sewer system required by SRU to meet this requirement. Developer acknowledges and agrees that the City may withhold any permits that do not meet this requirement.

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

- a. **Acceptance of public lift station.** The City agrees to allow Developer to construct a lift station in lieu of gravity sewer. Upon completion of the lift station, SRU shall inspect the lift station for compliance with paragraph 2, which shall include the right to conduct any tests that SRU may reasonably require. The City agrees to accept the lift station so long as it is constructed in accordance with this Agreement. The City's acceptance shall be in writing and signed by the City.
- b. **Ongoing ownership and maintenance.** The City agrees to assume all obligations to operate and maintain the lift station once it is accepted by the City. Developer shall have no further obligations related to the lift station.

4. **Effective Date**. This Agreement shall be effective from the date it is executed by the last Party (the "Effective Date") until it is terminated in accordance with its terms.
5. **Term**. This Agreement shall be valid for four (4) years from the Effective Date.
6. **Termination**. Except where otherwise mutually agreed to in writing, this Agreement shall terminate in the event of the following:
 - a. *For nondevelopment*, if Developer has not completed, and the City has not accepted, the lift station within four (4) years from the Effective Date of this Agreement.
 - b. *For a material breach of the Agreement's terms* upon: (1) written notice to the other Party of the breach, (2) the expiration of a reasonable period of time to cure without breaching Party having cured the breach, said time period not to exceed sixty (60) days except as specified in the written notice, and (3) a failure to resolve the breach or dispute after compliance with paragraph 15.
7. **No vesting of zoning rights**. Developer understands and agrees that execution of this Agreement does not operate to vest the Development for zoning purposes.
8. **Indemnification**. To the maximum extent allowed by law, and prior to the acceptance by and transfer to the City of the lift station, Developer shall indemnify and hold harmless the City and its agents and employees from and against all claims, actions, demands, costs, damages, losses, and/or expenses of any kind whatsoever proximately resulting from the negligence or willful misconduct of Developer or their agents and/or employees related to the subject matter of this Agreement, including but not limited to court costs and reasonable attorney's fees, incurred in connection with the defense of said matters.
9. **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

Ellis Land Investment Company, LLC
c/o Jason Pfister
305 Church at North Hills Street, Suite 1110
Raleigh, NC 27609

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

10. **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. No assignment. Neither Party is permitted to assign, subcontract, or otherwise transfer any interest in this Agreement without the prior written consent of the other Party.
- 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. 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.
- h. 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."
- i. 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

Ellis Land Investment Company, LLC,
a North Carolina limited liability company

By: _____
Jason C. Pfister, Vice President of Development

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, Anisha Shaikh, a Notary Public of the County and State aforesaid, do hereby certify that Jason C. Pfister, Vice President of Development, personally came before me this day and acknowledged that he is an Authorized Representative of Ellis Land Investment Company, LLC, a North Carolina limited liability company, and that he by authority duly given signed the foregoing instrument as an act of the company.

Witness my hand and official and official stamp or seal, this the 22nd day of September, 2023.



Salisbury City Council Agenda Item Request Form



Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☒ Staff

Requested Council Meeting Date: October 3, 2023

Name of Group(s) or Individual(s) Making Request: Salisbury Community Appearance Commission

Name of Presenter(s): Alyssa Nelson, Urban Design Planner

Requested Agenda Item: BlockWork Neighborhood Improvement Project Mayor's Announcement

Description of Requested Agenda Item:

The thirteenth annual BlockWork neighborhood improvement project will be held Saturday, October 28th. This year's event will take place on the 200 and 300 blocks of Lloyd Street in the West End neighborhood. The Community Appearance Commission and the Housing Advocacy Commission are requesting volunteers to sign up for the event. Volunteers will help with exterior home repairs like painting, carpentry, and landscaping. T-shirts, gloves, meals, drinks, and camaraderie will be provided. Sign up to by Friday, October 20 to reserve a T-shirt.

For more information and to sign up online to volunteer please visit www.salisburync.gov/BlockWork.

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

Contact Information for Group or Individual: Alyssa Nelson, 704.638.5235, anel@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



BLOCKWORK

NEIGHBORS HELPING NEIGHBORS ONE BLOCK AT A TIME

"Make A Difference Day"
Saturday, October 28, 2023

7:00 a.m. - 7:00 p.m.

200 & 300 blocks of Lloyd Street

BlockWork brings residents and community volunteers together to build cleaner and safer neighborhoods, one block at a time!

SIGN UP AS A VOLUNTEER!



salisburync.gov/BlockWork



blockwork@salisburync.gov



[\(704\) 638-5240](tel:(704)638-5240)

BY FRIDAY, OCT. 20

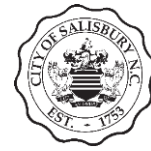
WHAT DO VOLUNTEERS DO?

Volunteers help with exterior repairs like painting, carpentry and landscaping.

T-shirts, gloves, meals and drinks will be provided to all volunteers.



Salisbury City Council Agenda Item Request Form



Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☒ Staff

Requested Council Meeting Date: October 3, 2023

Name of Group(s) or Individual(s) Making Request: Public Art Commission

Name of Presenter(s): Alyssa Nelson, Urban Design Planner

Requested Agenda Item: Salisbury Sculpture Show Call for Applications

Description of Requested Agenda Item:

The Salisbury Sculpture Show hosted by the Salisbury Public Art Commission is returning for its 16th year. Artists and local neighborhoods are encouraged to apply for this year's show.

Call for Salisbury Neighborhoods to Apply:

Neighborhoods can apply to host a sculpture in the upcoming 2024 Salisbury Sculpture Show by completing an application at: www.salisburync.gov/NeighborhoodSculpture. Selected neighborhoods will display one sculpture each for the duration of the 2024 Sculpture Show, April 2024-March 2025. There is no fee to apply. Deadline is Friday, December 22.

Call for Artists to Apply:

Artists are invited to submit their outdoor pieces for consideration in the award-winning art installation program by Friday, December 22. Work from individuals or teams will be considered; student work is encouraged. Application fee is \$30 per artist. To submit an application online or receive a printed application please visit: www.salisburync.gov/SculptureShow.

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

Contact Information for Group or Individual: Alyssa Nelson, 704.638.5235, anel@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:

2024-2025
Salisbury Sculpture Show

Call for Entries

Submission Deadline:
Friday, December 22, 2023
\$1,400 stipend per sculpture
\$30 entry fee per artist
Install: May 2, 2024

For more details and to apply, visit:
[*salisburync.gov/sculptureshow*](https://salisburync.gov/sculptureshow)

City of Salisbury Public Arts Commission



Sculpture by
Richard Pitts 2023