

Salisbury, North Carolina
November 8, 2023

REGULAR MEETING

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

ABSENT: Mayor Pro Tem Tamara Sheffield.

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/CHANGES TO THE AGENDA

Mayor Alexander noted the following change to the Agenda: Item 8c should be amended to adopt a Resolution declaring the intent to permanently close an unimproved portion of Second Street located off the 100 block of Carolina Avenue and set a public hearing for December 5, 2023.

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

INTRODUCTION – DEPUTY CITY MANAGER RICHARD WHITE

City Manager Jim Greene introduced new Deputy City Manager Richard White to Council. Council welcomed Mr. White to the City and stated it looks forward to working with him. Mr.

White thanked Council for the warm welcome and stated he is ready to work with Council, staff and citizens.

RECOGNITION – DOWNTOWN DEVELOPMENT DIRECTOR SADA TROUTMAN

Council recognized Downtown Development Director Sada Troutman for being named to Business North Carolina’s Trailblazers list for 2023. Mayor Alexander stated the annual list focuses on people under the age of 40 who work for cities and towns with fewer than 150,000 citizens to champion their communities. Council thanked Ms. Troutman for all she does for the City and its downtown.

RECOGNITION – EVENT COORDINATOR VIVIAN KOONTZ AND RECREATION PROGRAM SUPERVISOR MEGAN SIMPSON

Council recognized Events Coordinator Vivian Koontz for receiving the Certified Events Executive Certification through the International Festival and Events Association. Mayor Alexander noted the certification is a globally recognized credential that acknowledges individuals who work to create unforgettable festival and event experiences. Council thanked Ms. Koontz for all she does for the City and her work to make the annual Cheerwine Festival and many events that take place in the City a success.

Council then recognized Recreation Program Supervisor Megan Simpson for being awarded the Certified Pool and Spa Operator Certification as an operator of aquatic facilities from the Pool and Hot Tub Alliance. Mayor Alexander explained this designation recognizes a proven knowledge in the pool and hot tub profession. Council thanked Ms. Simpson for her work at the Fred M. Evans pool and the Civic Center.

Mayor Alexander read a letter from Mr. Jason Young that was included in the *Salisbury Post* recognizing staff for its contributions to BlockWork. Council thanked everyone who worked to make BlockWork a success.

PROCLAMATIONS

Mayor to proclaim the following observances:

VETERANS DAY	November 11, 2023
INTERNATIONAL SURVIVORS OF SUICIDE LOSS DAY	November 18, 2023
TRANSGENDER DAY OF REMEMBRANCE	November 20, 2023
INDIAN AND NATIVE AMERICAN MONTH	November 2023
SURVIVORS OF HOMICIDE VICTIM’S AWARENESS MONTH	November 20 – December 20, 2023

CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of October 17, 2023 and the special meetings of October 6, 2023 and October 25, 2023.

(b) Budget Ordinance Amendment – Summer Concert Series

Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$6,249 to appropriate a sponsorship/donation for the Summer Concert Series at Bell Tower Green Park.

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. 326, and is known as Ordinance 2023-72.)

(c) Resolution of Intent – Street Closing Second Street

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

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

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 39, and is known as Resolution 2023-31.)

(d) Right-of-Way Encroachment – AT&T

Approve a right-of-way encroachment for the installation of approximately 1,582 feet of underground fiber optic cable by AT&T within the rights-of-way of Shay Crossing Road, Willamette Drive and Bluebonnet Drive per Section 11-24(27) of the City Code.

(e) Purchase Order – Interstate Transportation Sales & Service

Ratify the issuance of a purchase order to Interstate Transportation Sales & Service, Inc. in an amount not to exceed \$688,298 for the purchase of two all-electric vehicles and related charging stations for Transit and authorize the City Manager to execute any documents required to approve the purchase. On June 7, 2022, Council approved the appropriation of funds from the North Carolina Volkswagen Settlement Program for this purchase.

(f) Agreement – Garden Street Communities Southeast, LLC

Authorize the City Manager to execute an agreement with Garden Street Communities Southeast LLC for the Kerns Ridge Subdivision sewer infrastructure improvements. The developer will pay for the cost of the improvements estimated to total \$77,000.

(g) Budget Ordinance Amendment – College Night Out Donation

Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$1,158 to appropriate a donation for College Night Out hosted by Downtown Development.

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

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 327, and is known as Ordinance 2023-73.)

(h) Developer’s Agreement – Shay Crossing Phase 2

Approve a Developer’s Agreement for Shay Crossing Phase 2, accept portions of Shay Crossing Road, Bluebonnet Drive and Willamette Drive for maintenance, and adopt an Ordinance establishing stop conditions.

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

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 328, and is known as Ordinance 2023-74.)

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

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

Ms. Dee Dee Wright thanked everyone who worked to make BlockWork a success. She also thanked Council and previous Councils and their work on the Dixonville Cemetery.

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

ANNEXATION AGREEMENT TOWN OF GRANITE QUARRY

City Manager Jim Greene noted the Annexation Agreement between the Town of Granite Quarry and the City of Salisbury came before Council at a previous meeting and has been a great example of team work. He explained both Councils have approved the agreement in concept, and the Granite Quarry Town Council will consider the agreement at its November 13, 2023 meeting.

City Attorney Graham Corriher thanked everyone who worked on the Annexation Agreement. He stated the City must reach agreements with other municipalities where there are overlapping growth areas. He pointed out the proposed agreement does not provide additional annexation authority. He noted the City no longer conducts involuntary annexations and property owners must petition for voluntary annexation.

Mr. Corriher indicated a municipality's annexation authority extends three miles outside its corporate limits. He stated the City is closer than three miles to neighboring municipalities which creates overlap and requires permission to annex from the other municipality. He explained the Annexation Agreement before Council defines the boundaries and procures the required permissions between the City and the Town of Granite Quarry.

Mr. Corriher displayed a map of the Rowan County municipal limits, and he pointed out the half way point between the municipalities that was used as a starting point for the process. He noted the Forward 2040 Comprehensive Plan includes a goal to adopt non-annexation agreements with neighboring jurisdictions to address growth boundaries. He noted staff level discussions were conducted regarding infrastructure availability, fire response, transportation, Extraterritorial Jurisdictions (ETJ's) and planning jurisdictions, development proposals and developable land.

Mr. Corriher reviewed the terms of the Annexation Agreement:

- Annexations are governed by state law (no involuntary annexations)
- Establishes agreement in areas where more than one municipality could annex
- No effect on rights/obligations of other municipalities or the County
- Municipalities agree not to exercise annexation authority in other municipalities' non-annexation or growth areas
- Municipalities agree not to exercise annexation authority in other municipalities' ETJ
- 20-year agreement with a 5-year termination clause
- Agreement can be amended or terminated with the consent of both parties at any time

Mr. Corriher reviewed the Annexation Agreement maps, and he pointed out the corporate limits, the ETJ and the non-annexation areas of the City and Granite Quarry. He pointed out an area identified for further study bounded by Stokes Ferry, Bringle Ferry, Dunns Mountain and Union Church Roads that would come back to both Councils as an amendment to the agreement. He indicated the agreement can be amended if a property owner wants to be annexed into the other municipality or if the boundary line needs to be redrawn. He explained the proposed Ordinance will only be effective if it is approved by both parties.

Mayor Alexander convened a public hearing, after due notice, regarding the proposed Annexation Agreement with the Town of Granite Quarry.

Ms. Dee Dee Wright asked if Police Department service was considered and if the state had to approve the Annexation Agreement. Mr. Corriher stated an annexed parcel would receive all municipal services once it is inside the City limits. He explained North Carolina General Statute authorizes cities to enter into annexation agreements.

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

Thereupon, Councilmember Post made a **motion** to adopt an Ordinance approving an annexation agreement between the Town of Granite Quarry, North Carolina, and the City of Salisbury, North Carolina. Mayor Alexander and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

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

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 329-330, and is known as Ordinance 2023-75.)

CONTRACT – DOWNTOWN SALISBURY, INC.

Planning and Neighborhoods Director Hannah Jacobson addressed Council in regards to awarding a contract to Downtown Salisbury, Inc. (DSI) in the approximate amount of \$142,000, or the amount estimated from Municipal Service District (MSD) taxes received for FY2023-2024 for the Main Street Program services within the MSD. She explained in 2015 the General Assembly modified its rules regarding the management of MSD taxes and cities are required to go through a Request for Qualification (RFQ) process to select a nonprofit or private firm at least every five years to manage MSD services.

Ms. Jacobson indicated the City posted and advertised a request for proposals on October 5, 2023 and received one submission from a qualified respondent, DSI, on October 20, 2023. She added DSI is an accredited Main Street organization recognized by the National and State Main Street Programs and it meets all the required qualifications.

Mayor Alexander convened a public hearing, after due notice, regarding the proposed contract with Downtown Salisbury, Inc.

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

Thereupon, Councilmember Smith made a **motion** to award a contract to Downtown Salisbury, Incorporated in the estimated amount of \$142,000, or the amount estimated from Municipal Service District taxes received for FY2023-2024, for Main Street Program services in the Municipal Service District. Mayor Alexander and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

UPDATE – DRAFT UNIFORM CONSTRUCTION STANDARDS MANUAL

City Engineer Wendy Brindle presented the City's Draft Uniform Construction Standards Manual to Council for its consideration. She pointed out the current Uniform Construction Standards are outdated and inconsistent with other codes.

Ms. Brindle stated the City has experienced increased development and the outdated standards and inconsistencies make it difficult for designers, developers and staff that review the documents. She noted updated standards were needed to address changing demands and concerns.

Ms. Brindle explained consultants were solicited through a Request for Qualifications (RFQ) process and Alley, Williams, Carmen and King (AWCK) was awarded the contract in December 2022. She noted monthly meetings were held with AWCK and core departments to establish format and new standards and a Draft Uniform Construction Standards Manual was completed in September. She indicated the next step is to present the draft manual to Council and the public to review. She encouraged citizens to review the manual and reach out to staff regarding questions or comments. She noted the draft will be submitted to the North Carolina Department of Environmental Quality (NCDEQ) for review and approval of local water and sanitary sewer permitting. She stated the draft will be available on the City's website and a public meeting will be held on December 6, 2023 from 4:00 p.m. until 6:00 p.m. at the Park Avenue Community Center.

Ms. Brindle stated the standards address City roads, storm drainage requirements, and requirements for water and sewer installation. She added SRU is a regional utility and other jurisdictions use its standards. She reviewed the list of significant changes and pointed out the information is organized in sections and includes an Infrastructure Plan Review Checklist that can be used by designers and reviewers and allows for digital submittals.

Ms. Brindle indicated the City has standards to address water quality, but water quantity has created concerns. She stated a section was added that requires a report of the water quantity impacts to provide a better indication of the impact of stormwater runoff for developments. She reviewed the Street Acceptance Policy regarding roadway maintenance, and noted Council previously adopted a standard to increase pavement cross-section and pavement thickness. She pointed out the manual requires developers to leave the final lift of asphalt off the roads, until the construction of homes is 85% complete or two years has passed, at which time staff will reinspect the roads and the developer will install the final lift. She added at that time the City will accept the roads for maintenance and begin the one-year warranty period. She noted the proposed standards allow additional materials to be used.

Ms. Brindle stated the consultant did a great job consolidating old manual information into separate sections and updating it to the new manual while removing inconsistencies. She reviewed appendices and she noted some standard drawings were eliminated due to utilization of state standards.

Mayor Alexander stated the draft is well organized and user friendly. Ms. Brindle indicated the final draft will be brought back to Council for its consideration after the first of the year.

Councilmember Post requested clarification regarding build out. Ms. Brindle explained 85% of the homes must have Certificates of Occupancy and there is a two-year maximum that requires the developer to add that final lift within two years if 85% build out is not reached. She indicated the final inch of asphalt must be bonded before the construction plan is approved.

Mayor Alexander thanked staff for its work on the Draft Uniform Construction Standards Manual. Mr. Greene thanked staff for its dedication to complete the project. He stated Council set a priority of quality development, and construction standards are important for a growing community.

CONTRACT RENEWAL – ATLANTIC COAST CONTRACTORS, INC.

Salisbury-Rowan Utilities (SRU) Director Jim Behmer asked Council to consider executing a contract renewal with Atlantic Coast Contractors, Inc. in the amount of \$1,550,000 for construction related to the Sanitary Sewer Rehabilitation Project - Contract 2.

Mr. Behmer provided a summary of completed Sanitary Sewer Rehabilitation projects and noted contract renewal goals include installing approximately four miles of cured-in-place piping to complete rehabilitation projects including Grants Creek, Martin Luther King, Jr. Avenue and Newsome Road.

Councilmember Post asked if the \$1,550,000 was budgeted for FY2023-2024. Mr. Behmer agreed, and he explained additional funds are budgeted each year for the completion of the Sanitary Sewer Rehabilitation project. Mr. Behmer noted additional Fund Balance will also be allocated towards project completion.

City Manager Jim Greene noted staff did not recommend a utility rate increase this fiscal year. He explained instead of increasing utility rates, SRU staff looked at available funds from the department's Fund Balance to contribute to the project.

Thereupon, Councilmember McLaughlin made a **motion** to authorize the City Manager to execute a contract renewal with Atlantic Coast Contractors, Inc. in the amount of \$1,550,000 for construction related to the Sanitary Sewer Rehabilitation Project – Contract 2. Mayor Alexander and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

UPDATE – EMPLOYEE PAY GRADE AND CLASSIFICATION SCHEDULES FOR THE POLICE DEPARTMENT

Police Chief Patrick Smith asked Council to consider approving an update to the employee pay grade and classification schedule to add two positions and re-establish two positions previously included for the Police Department. He provided a three-month projection on Police Department staffing, and he pointed out there are six vacancies with 23 unrealized positions. He explained unrealized positions include police officers in training or waiting to attend training. He added there are five applicants in the process.

Chief Smith stated the four requested positions are civilian positions that will provide support to sworn staff. He noted in the FY2023-2024 budget Council approved \$300,000 to support Police Department positions.

Chief Smith noted the first civilian position requested is a Senior Administrative position for command staff. He commented the position was previously reallocated to hire a crime analyst in 2017. He stated the position would support command staff and provide clerical service for patrol officers. He added the position would also assist command staff with calendar maintenance and file upkeep, allowing more engagement with department divisions and the community.

Chief Smith stated the second position requested is a Senior Administrative Position for Criminal Investigations. He noted this position previously served as a Criminal Investigations Planner handling sensitive cases and allowing investigators more time in the field. He commented the administrative role would screen incoming crimes against children and maintain a log. He explained the position would have contact with the Department of Social Services worker assigned to each case and would ensure the jurisdiction of crimes that occurred. He noted the administrative assistant would also act as a liaison for the District Attorney's office.

Chief Smith explained the third requested position would serve as a Community Resources Coordinator - Homeless Advocate. He stated this position would work closely with Homeless Advocate Dennis Rivers on approaching, identifying, and working with the unsheltered population. He added the Community Resource Coordinator would also work closely with Rowan Helping Ministries to find and introduce the resources needed for the unsheltered population.

Chief Smith stated the fourth civilian position requested would serve as a Downtown Liaison. He explained traditionally, the position was filled by a sworn officer, but with new legislation, many of the actions such as larceny reports, parking enforcement, and minor accidents in parking lot areas can be performed by civilians. He noted one of this position's primary responsibilities would be parking enforcement in the downtown area. He commented the Downtown Liaison would work with Downtown Salisbury, Inc (DSI), engage with downtown merchants, act as a liaison to the Police Department, and enforce downtown parking rules. He stated scheduling for the position would be staggered to include morning, afternoon, evening, and weekend hours.

Mayor Alexander clarified the requested positions are included in the \$300,000 that was approved by Council in the FY2023-2024 budget. Chief Smith agreed.

Councilmember McLaughlin asked if the civilian positions would be requested if the Police Department was fully staffed with sworn officers. Chief Smith stated the civilian positions would be requested to support sworn officers. Mayor Alexander noted the civilian positions would provide sworn officers more time in the field rather than working on clerical tasks.

City Manager Jim Greene stated Council approved a recommended tax increase for public safety, and funding was distributed to the Fire Department to assist with the construction of Fire Station 3, and to the Police Department for needed positions.

Thereupon, Councilmember McLaughlin made a **motion** to update the employee pay grade and classification scheduled to add Community Resource Advocate and Downtown Liaison positions and reestablish two Senior Administrative Special positions for the Police Department. Mayor Alexander and Councilmembers McLaughlin, Post and Smith voted AYE. (4-0)

CITY MANAGER'S COMMENTS

City Manager Jim Greene congratulated Councilmembers on their re-election to Council, and he noted he looks forward to working with Council for another term.

(a) Issues with Utility Billing

Finance Director Wade Furches stated there has been a delay in customers receiving their utility bills which come from a third-party company. He noted staff approved the bills on October 30, 2023, the vendor delivered the bills to the post office on November 1, 2023, and customers should have received the bills by November 6, 2023 with the typical five-day delivery. He indicated the vendor tracked the bills which had not left the Greensboro distribution center where they were delivered.

Mr. Furches commented the Communications Department has done a great job in getting information to the public regarding the delay and ways to pay the bills. He explained late fees will not be added until November 27, 2023.

Councilmember Post asked when bills are mailed and when the fees are added. Mr. Furches noted the goal is to get the bills out by the first of each month, and he noted fees are typically added around the 24th of each month. Mr. Post asked about state law and if the City must allow 25 days from when the bills are received until fees are added. City Attorney Graham Corriher indicated he can research the laws regarding the fees. Mr. Post asked if fees would be waived this month due to the late bills and the Thanksgiving holiday. Mr. Furches indicated it could be considered if the bills are not received by the end of the week. Mayor Alexander pointed out the public is aware of the options to pay the bills.

Mr. Greene noted staff will keep Council informed and will communicate with customers.

COUNCIL COMMENTS

Councilmember McLaughlin thanked the candidates that ran in the election and the citizens who took the time to vote. He congratulated Councilmembers that were reelected, and he noted he looks forward to working with Council.

Councilmember Post welcomed candidates Shanika Gadson-Harris and Gemale Black, and he suggested they run for Council again.

Councilmember Post commented he has been to several cities that close their Main Street for a period of time and the downtown merchants love it due to the increase of business that is generated.

MAYOR PRO TEM'S COMMENTS

Mayor Alexander read a note from Mayor Pro Tem Sheffield who was unable to attend the meeting due to a death in her family. Mayor Pro Tem Sheffield thanked everyone who ran for Council, and she congratulated Councilmembers and Mayor Alexander on their re-election. She added she looks forward to another successful term.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander congratulated candidates that ran for Council as it was a very positive election with all candidates having a vision to improve the City. She added she is happy the same Council will continue the great work it does for the community.

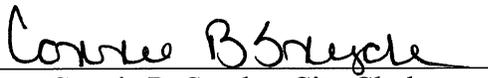
(a) Housing Survey

Mayor Alexander announced residents of Salisbury are encouraged to share their thoughts on housing in the City by taking an online survey. The survey will help shape future policies and spending priorities related to housing and community development. The survey is available at www.salisburync.gov/housing. The survey launched October 16th and will remain open through the end of November.

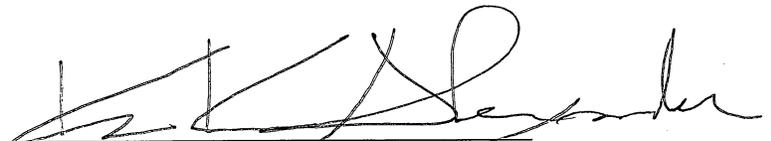
ADJOURNMENT

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

The meeting was adjourned at 8:17 p.m.



Connie B. Snyder, City Clerk



Karen Alexander, Mayor