

Salisbury, North Carolina  
June 1, 2021

## **REGULAR MEETING**

**PRESENT:** Mayor Karen K. Alexander, Presiding; Council Members William Brian Miller, David Post and Tamara Sheffield; City Manager W. Lane Bailey, City Clerk Kelly Baker; and City Attorney J. Graham Corriher.

**ABSENT:** Mayor Pro Tem Al Heggins.

In response to the State of Emergency declaration related to the spread of COVID-19 and to limit physical interactions and the potential spread of COVID-19 the Salisbury City Council met electronically. The meeting was called to order by Mayor Alexander at 6:00 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.

## **RECOGNITION OF VIEWERS**

Mayor Alexander welcomed all viewers.

## **ADOPTION OF THE AGENDA**

Thereupon, Councilmember Post made a **motion** to adopt the Agenda as presented. Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

## **PROCLAMATIONS**

Mayor Alexander proclaimed the following observances:

77<sup>TH</sup> ANNIVERSARY OF D-DAY  
IMMIGRANT HERITAGE MONTH  
PLAY BALL SUMMER

June 6, 2021  
June 2021  
June 1 – August 31, 2021

## **CONSENT AGENDA**

(a) Minutes

Adopt Minutes of the Regular Meeting of May 18, 2021.

(b) Contract – Iron Horse Development

Authorize the City Manager to execute a contract with Iron Horse Development for a Salisbury Paul Bruhn Grant in the amount of \$150,000 to rehabilitate 121 West Council Street.

(c) Budget Ordinance Amendment - Community Development Block Grant (CDBG-CV) Funds

Adopt a budget Ordinance Amendment to the FY2020-2021 budget in the amount of \$369,171 to appropriate Coronavirus Aid, Relief, and Economic Security Community Development Block Grant (CDBG-CV) funds.

ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE CDBG CARES FUNDS.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 86, and is known as Ordinance 2021-31.)

(d) Certificate of Sufficiency – Voluntary Annexation

Receive the Certificate of Sufficiency for the voluntary annexation of PFJ, LLC parcels 408-024 and 408-089 and adopt a Resolution setting the date of the public hearing for July 20, 2021.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF THE ANNEXATION OF 8.754 ACRES (PFJ SOUTHEAST, LLC), LOCATED OFF OF FAITH ROAD AND IDENTIFIED ON TAX MAP 408 PARCELS 024 AND 089, IN ACCORDANCE WITH NORTH CAROLINA GENERAL STATUTE 160A-58.1

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 10-11, and is known as Resolution 2021-10)

(e) Contract – Demolition and Asbestos Removal, Inc.

Authorize the City Manager to award a contract in the amount of \$129,800 to Demolition and Asbestos Removal, Inc., a D.H. Griffin Company, to complete asbestos abatement services at the former Kesler Mill Site. Funds for this project were provided through a \$500,000 Brownfields Grant.

(f) Ella Brown Cannon House

Endorse the Ella Brown Cannon House located at 202 Fulton Street to be listed in the National Register of Historic Places.

(g) Budget Ordinance Amendment – Hurley Park Donation

Adopt a budget Ordinance Amendment to the FY2020-2021 budget in the amount of \$15,750 to appropriate Parks and Recreation Hurley Park donation.

ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE A DONATION TO HURLEY PARK.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 87, and is known as Ordinance 2021-32.)

(h) Budget Ordinance Amendment – Park Improvements

Adopt a budget Ordinance Amendment to the FY2020-2021 budget in the amount of \$100,000 to appropriate grant funds from the Fred Stanback Donor Advised Fund for park improvements.

ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE A DONATION TO PARKS AND RECREATION.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 88, and is known as Ordinance 2021-33.)

(i) Budget Ordinance Amendment – Parks and Recreation Donation

Adopt a budget Ordinance Amendment to the FY2020-2021 budget in the amount of \$17,018 to appropriate grant funds from North Carolina Alliance of YMCAs for childcare staff expense for August through November 2020.

ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE DONATIONS IN THE GENERAL FUND FOR PARKS AND RECREATION.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 89, and is known as Ordinance 2021-34.)

(j) Budget Ordinance Amendment – Parks and Recreation Donation

Adopt a budget Ordinance Amendment to the FY2020-2021 budget in the amount of \$25,000 to appropriate a Parks and Recreation donation for pickleball courts.

ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE DONATIONS IN THE GENERAL FUND FOR PARKS AND RECREATION.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 90, and is known as Ordinance 2021-35.)

(k) Right-of-Way Encroachment – Filbert Street

Approve a right-of-way encroachment by Spectrum for the installation of directional bored duct on Filbert Street per Section 11-24(27) of the City Code.

(l) Budget Ordinance Amendment – Police Department Donations

Adopt a budget Ordinance Amendment to the FY2020-2021 budget in the amount of \$13,950 to appropriate grant funds from The Blanche and Julian Robertson Family Foundation.

ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE POLICE DEPARTMENT DONATIONS.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 91, and is known as Ordinance 2021-36.)

(m) Budget Ordinance Amendment – Police Department Donations

Adopt a budget Ordinance Amendment to the FY2020-2021 budget in the amount of \$2,800 to appropriate donations received by the Police Department.

ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE POLICE DEPARTMENT DONATIONS.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 92, and is known as Ordinance 2021-37.)

(n) Budget Ordinance Amendment – Police Department Donations

Adopt a budget Ordinance Amendment to the FY2020-2021 budget in the amount of \$24,770 to appropriate grant funds received from the Office of Justice Programs/Office for Victims of Crime for a Law Enforcement-Based Victim Specialist grant.

ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE A LAW ENFORCEMENT-BASED VICTIM SPECIALIST GRANT.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 93, and is known as Ordinance 2021-38.)

(o) Resolution – Salisbury/Rowan County Economic Development Commission Bylaws

Adopt a Resolution amending the joint Resolution establishing the Salisbury/Rowan County Economic Development Commission to approve amendments to the Commission's Bylaws.

RESOLUTION AMENDING THE JOINT RESOLUTION ESTABLISHING THE SALISBURY/ROWAN COUNTY ECONOMIC DEVELOPMENT COMMISSION TO APPROVE AMENDMENTS TO THE COMMISSION'S BYLAWS.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 12, and is known as Resolution 2021-11.)

(p) Stormwater Grant – 1931 Sherwood Street

Authorize a Stormwater Grant in the amount of \$15,287.50 for improvements to 1931 Sherwood Street. Funds are available in the FY2020-2021 budget to cover the grant.

(q) Stormwater Grant – 1607 North Jackson Street

Authorize a Stormwater Grant in the amount of \$4,267.50 for improvements to 1607 North Jackson Street. Funds are available in the FY2020-2021 budget to cover the grant.

Thereupon, Councilmember Miller made a **motion** to adopt the Consent Agenda as presented. Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

**PUBLIC COMMENT**

Mayor Alexander opened the floor to receive public comments.

Mr. Jesse Robinson stated he owned the houses at 720 and 728 South Jackson Street. He asked for additional time to restore the houses to keep them from being demolished.

Mayor Alexander noted the demolition of houses is on the Agenda for consideration later in the meeting.

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

### **PUBLIC HEARING – FY2021-2022 PROPOSED CITY BUDGT**

City Manager Lane Bailey reviewed changes to the budget as discussed during Council's May 26, 2021 budget work session. He noted Fund Balance will be used and he pointed out the changes in each Fund:

	<u>Changes</u>
General Fund	\$480,372
Stormwater Fund	\$4,622
Water Sewer Fund	\$47,145
Transit Fund	\$5,071

Mr. Bailey noted the changes provide an increase in the City's 401(k) contribution to non-sworn law enforcement employees from 3% to 4%. He stated the increases also include an additional 1.5% pay increase for sworn law enforcement officers of \$92,183, and an increase of \$258,000 to help recruit and retain General Fund employees.

Mr. Bailey indicated Council had asked staff to explore the possibility of refinancing the Fibrant debt to reduce the payment or shorten the term. He stated after speaking with the City's financial advisor and staff at the Local Government Commission (LGC), he is unsure if this will be a possibility. He explained it does not appear there would be enough savings to warrant the expense of refinancing. He noted another option is to set a policy to appropriate \$500,000 from the General Fund in each budget to help offset the General Fund transfer to the Fibrant Fund. He explained in the proposed budget Fund Balance from the General Fund is being used to offset operating expenses and if funds are set aside for the Fibrant transfer it will alleviate the General Fund over the next eight years until the debt is paid.

Councilmember Miller clarified the City would not make additional payments towards the debt but will be allocating money from the tax receipts to help offset the transfer. Mr. Bailey agreed.

Councilmember Post commented the bond counsel and financial advisors have indicated any additional payments on the debt would be added to the end of the loan. He noted it would reduce the length of the loan approximately one-half to one year.

Councilmember Sheffield asked if the LGC would have to approve the appropriation. Mr. Bailey noted the LGC would not be involved, and it would be a City policy to set the allocation from the General Fund.

Councilmember Miller commented he had hoped the refinancing would work to provide relief but Mr. Bailey's recommendation would essentially accomplish the same thing. Mr. Bailey noted there will most likely be budget challenges in the coming years, but he is optimistic about the tax base growth given the number of permits being issued. He commented citizens can help with budget challenges by using Hotwire services. He noted the service is exceptional and an increase in revenue helps the budget.

b) Mayor Alexander convened a public hearing, after due notice thereof, to receive comments regarding the FY2021-2022 Proposed City Budget.

There being no one to address Council, Mayor Alexander closed the public hearing and indicated comments regarding the FY2021-2022 Proposed City Budget will be accepted for 24 hours from the close of the public hearing.

Councilmember Sheffield commented on the proposed fee schedule, and she shared her concerns about increases. She stated the budget already includes a 2% increase in water and sewer rates and a 2% increase in Stormwater fees that she does not support, and she pointed out many people may not be aware of the increase in fees. She noted the fees for Community Planning Services are increasing, and she questioned the fees proposed for Bell Tower Green and park facilities.

Mayor Alexander indicated the public comment period will remain open for 24 hours to receive feedback on the proposed budget.

#### **COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAM FUND ACTION PLAN AND BUDGET**

Housing Planner Candace Edwards presented the Action Plan and budget for the FY2021-2022 Community Development Block Grant (CDBG) and HOME Programs. She noted during the presentation to Council on May 4, 2021 the draft budget was \$456,668, and the draft plan and budget were made available for a 30-day public inspection. She indicated no modifications to the plan, goals or budget were recommended, but additional priorities were provided for consideration that have been incorporated into the plan. Ms. Edward noted staff received notice of an increase in CDBG allocation, and she stated in FY2021-2022 the City will receive the following:

CDBG	\$289,360
CDBG Projected Program Income	\$25,000
HOME Investment Partnerships Program	<u>\$146,510</u>
Total CDBG and HOME Funds	\$460,870

Ms. Edwards discussed the primary goals and objectives for FY2021-2022, and then she reviewed the CDBG budget:

Project Activities		
Housing Activities		
Owner-occupied Rehab	\$159,774.92	\$159,774.92
Infrastructure Activities		
Lash Drive Sidewalk Project	\$17,569.18	\$17,569.18
Public Services		
Rowan Helping Ministries	\$10,904.00	
Family Crisis Council	\$10,000.00	
Capstone Recovery Center	\$5,000.00	
Meals on Wheels	\$7,500.00	
One Love, Inc.	\$10,000.00	\$43,404.00
Program Administration		
General Administration	\$57,872.00	\$57,872.00
Debt Service – Park Avenue Center		\$35,739.90
Total CDBG Funds		\$314,360.00

Ms. Edwards noted the FY2021-2022 HOME Budget includes:

Project Activities	
Housing Activities	
Owner-occupied Rehab	\$108,217.00
Down payment Assistance	\$30,000.00
Program Administration	
General Administration	\$8,293.00
Total HOME Funds	\$134,202.00

Ms. Edwards reviewed the timeline for the Action Plan and Budget and noted once adopted it will be submitted to the United States Housing and Urban Development (HUD) office June 4, 2021.

Council thanked Ms. Edwards for her report.

Thereupon, Councilmember Sheffield made a **motion** to adopt the FY2021-2022 Community Development Block Grant (CDBG) and HOME Action Plan and Budget. Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)



## **STRUCTURES DEMOLITION**

Code Services Manager Michael Cotilla addressed Council regarding six properties recommended for demolition. He stated in the fall of 2020 staff began identifying and inspecting potential demolition candidates. He added staff created a list of 23 dilapidated structures that would require more than 50% of the tax value to bring them to minimum housing code or were in a vacant and abandoned state with continual vagrancy issues. He pointed out of the 23 structures four have been sold, three are undergoing renovation, and two were demolished by the property owners. He explained three of the properties are under a historic preservation delay and six were transferred to next year's list due to budgetary issues.

Mr. Cotilla noted the property at 411 Grim Street was inspected January 2020 and is a carryover from last year. He stated as a standard procedure all parties were notified via certified mail, the structure was posted, and the hearing was scheduled for January 29, 2020. He explained no one attended the hearing, and he commented the proposed demolition was posted in the *Salisbury Post* with a compliance date of April 29, 2020. He pointed out the property has been vacant since 2020. He displayed pictures of the property, and he noted a tree fell through the structure in 2013 creating significant damage.

Mr. Cotilla reviewed the property at 210 South Caldwell Street, and he pointed out the property is a carryover from 2020. He added the orders of compliance were received and signed for by the property owners who failed to comply. He commented the property has been vacant since 2010. He displayed photographs of the property, and he pointed out structural damage due to years of neglect. He added the structure has started to collapse at the back of the property and it is beginning to sink.

Mr. Cotilla stated the structure at 420 Partee Street was inspected on January 13, 2021 and an order of compliance was issued on February 11, 2021. He stated all parties were issued certified notices and the structure was posted on February 11, 2021. He commented the hearing was held on February 24, 2021 and no one attended. He added the compliance date was May 24, 2021, and he pointed out there are no current records of any utility at the location so it has been vacant for a while. He indicated there have been issues with vagrancy and trespassing at this location.

Mr. Cotilla reviewed the structure at 606 West Innes Street, and he noted the property owner was issued an order of compliance and then sold the property to someone who purchased it sight unseen. He indicated the structure is in bad condition and the new owners do not have the means to demolish it. He explained the property owner signed a consent form allowing the City to demolish the structure with the understanding that the demolition costs will be transferred to them through a lien. He displayed photographs of the structure, and he pointed out the property has been vacant for quite some time and had a roof leak.

Mr. Cotilla indicated the properties located at 720 and 728 South Jackson Street are owned by Mr. Jesse Robinson who took possession in 2018. He noted a 90-day order of compliance was issued for both properties on January 13, 2021. He explained if Council adopts a Demolition Ordinance for the two properties he is prepared to issue Mr. Robinson a new compliance order. He commented the new compliance order will include an additional 90-day compliance period.

with the understanding the work must be completed within the timeframe. He displayed photographs of both properties, and he pointed out the property owner has completed some work, but not enough to consider the structures compliant.

Councilmember Post referenced Mr. Robinson's properties, and he asked what will happen if Council does not adopt the proposed Demolition Ordinance. Mr. Cotilla explained if the property is not brought into compliance staff would be back before Council in 90 days, and if Council adopts the Ordinance staff would not have to bring the item back before Council. Mayor Alexander commented she has visited the properties and the work that has been completed is substandard. She pointed out this has been going on since 2018, and is hurting the value of neighboring homes.

Councilmember Sheffield requested clarification regarding how significant improvements is defined. Mr. Cotilla stated if the street aesthetics of the renovation are completed staff would consider that significant. Councilmember Sheffield asked if the properties have electricity. Mr. Cotilla stated neither of the properties have electricity. Mayor Alexander pointed out there is no obligation to reconnect the utilities until the inside is completed. Mr. Cotilla stated he could add this requirement to the compliance order. Mayor Alexander stated that would be important.

Councilmember Sheffield thanked Mr. Cotilla and Code Enforcement staff for their work during this challenging year. She indicated since Mr. Robinson took the time to address Council she supports allowing an additional 90-day compliance period with very specific parameters.

Councilmember Miller indicated he supports staff bringing the worst properties to Council to put pressure on those who remain noncompliant. He commented no one in the City should have to live next to a property that is in the condition displayed in the pictures that were presented to Council.

Councilmember Miller stated Council would like the properties to be rehabilitated, but at the same time clearly communicate the expectations and deadlines. Mr. Cotilla pointed out communication has been established, and he added he believes Mr. Robinson understands the City's position. Mayor Alexander requested staff clarify in writing what has to be accomplished, including water and sewer connections to the house.

Councilmember Post asked about the timeline for the demolition of the four remaining properties. Mr. Cotilla stated the contractor is scheduled to begin on Monday.

Thereupon, Councilmember Post made a **motion** to adopt an Ordinance to order the demolition of a dwelling unit unfit for human habitation located at 411 Grim Street in the City of Salisbury, North Carolina. Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNIT UNFIT FOR HUMAN HABITATION LOCATED AT 411 GRIM STREET IN THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 94-95, and is known as Ordinance 2021-39.)

Thereupon, Councilmember Miller a **motion** to adopt an Ordinance to order the demolition of a dwelling unit unfit for human habitation located at 210 South Caldwell Street in the City of Salisbury, North Carolina. Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNIT UNFIT FOR HUMAN HABITATION LOCATED AT 210 SOUTH CALDWELL STREET IN THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 96-97, and is known as Ordinance 2021-40.)

Thereupon, Councilmember Sheffield made a **motion** to adopt an Ordinance to order the demolition of a dwelling unit unfit for human habitation located at 420 Partee Street in the City of Salisbury, North Carolina. Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNIT UNFIT FOR HUMAN HABITATION LOCATED AT 420 PARTEE STREET IN THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 98-99, and is known as Ordinance 2021-41.)

Thereupon, Councilmember Post made a **motion** to adopt an Ordinance to order the demolition of a dwelling unit unfit for human habitation located at 606 West Innes Street in the City of Salisbury, North Carolina. Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNIT UNFIT FOR HUMAN HABITATION LOCATED AT 606 WEST INNES STREET IN THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 100-101, and is known as Ordinance 2021-42.)

Thereupon, Councilmember Miller made a **motion** to adopt an Ordinance to order the demolition of a dwelling unit unfit for human habitation located at 720 South Jackson Street in the City of Salisbury, North Carolina subject to a 90-day extension to allow for significant improvements to be made to the property as determined by Code Enforcement staff. Upon a roll

call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNIT UNFIT FOR HUMAN HABITATION LOCATED AT 720 SOUTH JACKSON STREET IN THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 102-103, and is known as Ordinance 2021-43.)

Thereupon, Councilmember Miller made a **motion** to adopt an Ordinance to order the demolition of a dwelling unit unfit for human habitation located at 728 South Jackson Street in the City of Salisbury, North Carolina subject to a 90-day extension to allow for significant improvements to be made to the property as determined by Code Enforcement staff. Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNIT UNFIT FOR HUMAN HABITATION LOCATED AT 728 SOUTH JACKSON STREET IN THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 104-105, and is known as Ordinance 2021-44.)

Councilmember Post thanked Mr. Cotilla for his through presentation.

#### **LAND DEVELOPMENT DISTRICT MAP AMENDMENT Z-01-2021**

Development Services Manager Teresa Barringer addressed Council regarding Land Development District Map amendment Z-01-2021 to rezone 7.55 acres, six parcels, adjacent to North Craig, West Henderson, North Caldwell, and Hobson Streets from General Residential (GR) and GR/Open Space Preserve (OSP) to OSP only. She explained the rezoning is for future development of an operations and maintenance office at Hurley Park. She added staff will review the proposal for Land Development Ordinance (LDO) compliance.

Councilmember Sheffield asked if any additional comment were received. Ms. Barringer and City Clerk Kelly Baker noted no additional comments were received. Ms. Sheffield stated she supports the proposal which will help with the preservation of Hurley Park.

Councilmember Sheffield stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein, as requested, is not inconsistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan due to the proposed petition, site characteristics, surrounding development pattern, and observations provided by City Planning Staff, identifying there are no policies in direct opposition to the petition. Thereupon Ms. Sheffield, made a **motion** to adopt an Ordinance amending the Land Development District

Map of the City of Salisbury North Carolina rezoning Tax Map 003 Parcel 049 from General Residential (GR-6) and Open Space Preserve (OSP) to Open Space Preserve (OSP) and Tax Map 003 Parcels 050, 051, 052, 053, and 302 from General Residential (GR-6) to Open Space Preserve (OSP). The combined accumulative acreage being approximately 7.55 acres. Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY NORTH CAROLINA REZONING TAX MAP 003 PARCEL 049 FROM GENERAL RESIDENTIAL (GR-6) AND OPEN SPACE PRESERVE (OSP) TO OPEN SPACE PRESERVE (OSP) AND TAX MAP 003 PARCELS 050, 051, 052, 053, AND 302 FROM GENERAL RESIDENTIAL (GR-6) TO OPEN SPACE PRESERVE (OSP). THE COMBINED ACCUMULATIVE ACREAGE BEING APPROXIMATELY 7.55 ACRES.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 106, and is known as Ordinance 2021-45.)

#### **LAND DEVELOPMENT DISTRICT MAP AMENDMENT Z-02-2019**

Development Services Manager Teresa Barringer addressed Council regarding Land Development District Map amendment Z-02-2019 to rezone six parcels at the corner of West Marsh and South Ellis Streets from General Residential (GR) to Urban Residential (UR), and two parcels from GR and Historic Residential (HR) to HR only. She presented an overview of the area, and she pointed out the location of the properties on West Marsh Street. She stated the request is to clean up one split-zoning and to rezone all of the parcels on West Marsh Street to UR-12 to be in line with the UR-12 zoning in the proximity adjacent to South Ellis Street.

Ms. Barringer reviewed the remaining parcels, and she pointed out the frontage of these parcels is on South Fulton Street. She noted the rear boundaries have GR split with HR zoning, and she explained the proposal is to clean up the zoning.

Mayor Alexander asked if any additional comments were received after the Council meeting. Ms. Barringer and City Clerk Kelly Baker noted no additional comments or questions were received.

Councilmember Miller stated he heard from neighboring property owners after the last Council meeting who wanted to know if the parcels could ever be recombined and an apartment type structure placed on the location. He added the answer was no and the neighbors withdrew their opposition. Mayor Alexander noted she also received feedback from neighbors who were satisfied with the explanation staff provided in the presentation.

Councilmember Miller stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein, as requested, is not inconsistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan due to the proposed petition, site characteristics, surrounding development pattern, and observations provided by City

Planning Staff, identifying there are no policies in direct opposition to the petition. Thereupon, Mr. Miller made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury North Carolina rezoning 506 West Marsh Street; 512, 516, 520, 524, and 0 South Ellis Street from General Residential (GR-6) to Urban Residential (UR-12) District and rezoning 508 and 528 South Fulton Street from General Residential (GR-6) and Historic Residential (HR) to Historic Residential (HR). Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY NORTH CAROLINA REZONING 506 WEST MARSH STREET; 512, 516, 520, 524, AND 0 SOUTH ELLIS STREET FROM GENERAL RESIDENTIAL (GR-6) TO URBAN RESIDENTIAL (UR-12) DISTRICT AND REZONING 508 AND 528 SOUTH FULTON STREET FROM GENERAL RESIDENTIAL (GR-6) AND HISTORIC RESIDENTIAL (HR) TO HISTORIC RESIDENTIAL (HR).

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 107, and is known as Ordinance 2021-46.)

#### **FINAL SUBDIVISION PLAT S-01-21 ASHTON MANOR PHASE I**

City Engineer Wendy Brindle addressed Council regarding Ashton Manor Phase 1 plat S-01-21. She noted the subdivision was approved and constructed prior to the adoption of the Land Development Ordinance (LDO). She noted the plan consists of 61 lots with a mixture of single-family detached homes and town homes. She added the current infrastructure has been in place since the end of 2009, but the streets and utilities were never accepted and the site was left as it stands. She stated the developer wants to finish the development under the old layout, but needs to complete a punch list for the development of the streets and storm drainage. She pointed out the developer has posted the \$400,000 bond, and she added the water and sewer permitting is allowed since Salisbury Rowan Utilities (SRU) handles the water and sewer testing and acceptance.

Ms. Brindle noted the developer is waiting on the engineer's certificate and asphalt drawings, but the City is ready to accept the streets for maintenance. She added once the stop conditions are approved and the past build drawings and the water and sewer certification are received, the final plat will be provided.

Councilmember Sheffield asked if maintenance has to be approved for work to begin on the property. Ms. Brindle agreed, and she noted once Council accepts the final plat and maintenance of the streets the developer would be allowed to start development.

Councilmember Miller asked if the City still accepts bonds and if staff has any concerns. Ms. Brindle commented the City accepts bonds in particular cases. She noted the only concern would be if a developer did not complete something and the bond not cover the costs.

Councilmember Miller stated the bond would give the City the ability to use those funds to finish improvements the developer did not complete. Ms. Brindle agreed, and she added bonds are not released until the punch list items are completed.

Thereupon, Councilmember Miller made a **motion** to approve the final subdivision plat S-01-21 for Ashton Manor Phase I, to accept the streets for maintenance, and adopt an Ordinance amending Section 13-332, Article X, Chapter 13 of the Code of the City of Salisbury, relating to stop signs. Upon a roll call vote Mayor Alexander voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

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

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 108, and is known as Ordinance 2021-47.)

### **BOARDS AND COMMISSIONS**

Mayor Alexander pointed out two regular appointments and one Extraterritorial Jurisdiction (ETJ) appointment is needed on the Planning Board.

Councilmember Post commented two ETJ members are required on the Planning Board, and he recommended eliminating one seat.

City Attorney Graham Corriher explained if the number of Planning Board members were to change from 12 members to 10 members then only one ETJ seat would be required. He added another option to fill the ETJ seat could be the appointment of a County resident if Council is unable to fill the seat.

Councilmember Post requested the ETJ requirements be recalculated. Mr. Corriher noted he will review the data, and he explained the data will need to be recalculated once Census information is received. Mr. Post then questioned how an ETJ member would be appointed by the County. Mr. Corriher commented the County could make an appointment if the City is unable to find a qualified and willing member. He noted the normal practice is for the City to recommend an appointment to the County, and he added the County ultimately makes appointment.

### **CITY ATTORNEY'S REPORT**

City Attorney Graham Corriher had nothing to report to Council.

## **CITY MANAGER'S REPORT**

### **Newsome Road Storm Cleanup**

City Manager Lane Bailey pointed out the Public Works Department is working to clean up the Brentwood Acres and Newsome Road areas from the storm that occurred Sunday, May 30, 2021. He thanked staff the hard work it does for the City and the community.

### **Fire Department ISO Rating**

City Manager Lane Bailey commented North Carolina Insurance Commissioner Mike Causey announced the Salisbury Fire Department achieved a level one insurance ranking. He added the City is one of 17 Fire Departments in North Carolina to reach level one which is the highest insurance ranking. He added the achievement speaks volumes of the Salisbury-Rowan Utilities (SRU) department with its water resources and the City Telecommunications dispatching. He noted citizens will receive reduced fire insurance rates. He reiterated how proud he is of the department's hard work, and he thanked Council for its support.

## **COUNCIL COMMENTS**

Councilmember Miller commented he is proud of Fire Chief Bob Parnell, his staff and department. He thanked the Fire Department for all it does for the City and citizens every day.

Councilmember Sheffield pointed out Ms. Ellen Yang is a Salisbury High School softball player who played in the Softball World Series, but recently played on the Salisbury High School baseball team. She thanked Ms. Yang for her influence to all.

Councilmember Sheffield announced Youth Substance Use Prevention (YSUP) Rowan will host is Take Back Medicine Event Saturday, June 5, 2021 between 10:00 a.m. and 2:00 p.m. at the Rowan County Health Department.

Councilmember Sheffield thanked the Rowan County Veterans Council for hosting its Memorial Day service at the City Park flag concourse on Monday, May 31, 2021.

Councilmember Sheffield pointed out the month of June is LGBTQ+ Pride month. She thanked the people who have helped blaze a trail for equal rights and equality to all.

Councilmember Post congratulated Fire Chief Bob Parnell and the Fire Department on the level one insurance rating achievement.

Councilmember Post explained information about the Military Adaptive Court Sports organization which provides opportunities for veterans with disabilities to engage in court-related sports. He added Executive Director Steven Harper has traveled to Salisbury for the next month to work teach pickleball to veterans.



Councilmember Post explained pickleball players are traveling from surrounding areas to play in Salisbury. He added it is incredible to see Salisbury have players visit from out of town.

Councilmember Post announced the North Carolina Pickleball Open Tournament will take place in Salisbury this September. He added the tournament will bring in visitors from all over the state to watch the tournament, visit shops, and eat at local restaurants.

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

Mayor Alexander thanked those who donated for the pickleball courts. She noted it is great to see what the courts have brought to the community. She added she is excited Salisbury was chosen for the North Carolina Pickleball Open location.

Mayor Alexander thanked Councilmember Sheffield for announcing Youth Substance Use Prevention (YSUP) Rowan's Take Back Medicine event, and she thanked her for all she does for the group.

Mayor Alexander stated she is proud of Fire Chief Bob Parnell and the Fire Department's level one insurance rating achievement. She thanked everyone, and she added it is great for citizens to receive lower insurance ratings.

#### **(a) Wine About Winter**

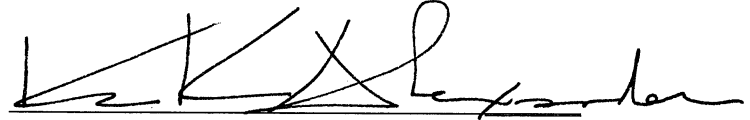
Mayor Alexander announced Downtown Salisbury, Inc. will host the 8th Annual Wine About Winter event Friday, June 18th from 5:00 p.m. until 9:00 p.m. Tickets include a tasting pass, signature Wine About Winter tasting glass and a carrying bag. For ticket sales and detailed information visit [www.downtownsalisburync.com](http://www.downtownsalisburync.com) or call (704) 637-7814. Tickets are \$22.50 in advance and \$30 the day of the event.

#### **(b) 2021 BlockWork**

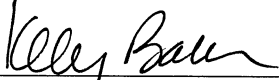
Mayor Alexander announced applications are now being accepted for neighborhood participation in the 2021 BlockWork event scheduled for Saturday, October 23, 2021. Applications and guidelines are available online at [www.salisburync.gov/BlockWork](http://www.salisburync.gov/BlockWork). The deadline to submit an application is June 11, 2021. For more information contact Alyssa Nelson at 704-638-5235 or email [blockwork@salisburync.gov](mailto:blockwork@salisburync.gov).

## ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Miller. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 8:02 p.m.

A handwritten signature in black ink, appearing to read 'Karen Alexander', written over a horizontal line.

Karen Alexander, Mayor

A handwritten signature in black ink, appearing to read 'Kelly Baker', written over a horizontal line.

Kelly Baker, City Clerk