

Salisbury, North Carolina
August 7, 2012

REGULAR MEETING

PRESENT: Mayor Paul B. Woodson Jr., Presiding; Mayor Pro Tem Susan W. Kluttz, Council Members Maggie A. Blackwell, William (Pete) Kennedy, and, William Brian Miller; City Manager Doug Paris; Deputy City Clerk Kelly Baker; and City Attorney F. Rivers Lawther, Jr.

ABSENT: City Clerk Myra B. Heard

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Woodson at 4:00 p.m. The invocation was given by Councilmember Blackwell.

PLEDGE OF ALLEGIANCE

Mayor Woodson recognized Mr. Ezra Walls from Boy Scout Troop 122 and invited him to lead those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Woodson welcomed all visitors present.

SUMMER YOUTH EMPLOYMENT PROGRAM

Human Resources Manager Ruth Kennerly and Human Resources Analyst Milena Sifuentes addressed Council regarding the Summer Youth Employment Program. Ms. Kennerly explained this is the third year of the program. She noted the City received 35 applications and selected nine students to work for a total of six weeks. She stated the Summer Youth Employment Program is funded through a Community Development Block Grant and addresses Council’s goal to mentor local youth. She thanked family members and department supervisors who worked to make the program a success.

Ms. Sifuentes recognized the students who participated in the Summer Youth Employment Program:

Ms. Victoria King	Public Services Solid Waste
Ms. Aaliyhia Little	Customer Service
Mr. Daniel Lore	Parks and Recreation
Mr. Donovan Perez	Parks and Recreation
Mr. Michael Rustin	Transit
Mr. Dominique Steel	Maintenance
Ms. Kayla Ferguson	Fire Department
Ms. Ilisha Housch	Public Information
Mr. Feylan Wesley	Fire Department

Ms. Sifuentes thanked each student for participating in the program and indicated she hopes they will consider the City of Salisbury for future employment.

Mayor Woodson congratulated the students, and he thanked everyone who worked to make the program a success.

PROCLAMATION

Mayor Woodson proclaimed the following observance:

NATIONAL NIGHT OUT

August 7, 2012

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of July 17, 2012.

(b) Alley Closing - 400 block of East Liberty Street and the 200 block of North Shaver Street

Receive a petition to close an alley in the 400 block of East Liberty Street and the 200 block of North Shaver Street, and adopt a **RESOLUTION** setting a public hearing for September 4, 2012.

RESOLUTION PERTAINING TO THE PROPOSED CLOSING OF AN ALLEY IN THE 400 BLOCK OF EAST LIBERTY STREET AND THE 200 BLOCK OF NORTH SHAVER STREET, AND SETTING A PUBLIC HEARING OF SEPTEMBER 4, 2012.

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 27, and is known as Resolution 2012-14)

(c) Temporary Street Closure – Police Athletic League Program Introduction

Close the 1000 block of Stanley Street from Elm Street to Lincolnton Road Saturday, July 28, 2012 from 10:00 a.m. until 6:00 p.m. for the Police Athletic League Program Introduction.

(d) Temporary Street Closure - OctoberTour

Close the 300 block of West Bank Street from Jackson Street to Fulton Street from 6:00 a.m. Saturday, October 13, 2012 until 7:30 p.m. Sunday, October 14, 2012 for Historic Salisbury Foundation's OctoberTour.

(e) 28th Annual Future Directions and Goal Setting Retreat

Adopt February 14-15, 2013 as the dates for the 28th Annual Future Directions and Goal Setting Retreat.

Thereupon, Mr. Kennedy made a **motion** to adopt the Consent Agenda as presented. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

PROPOSED AMENDMENTS TO CHAPTER 8, LANDSCAPING, OF THE LAND DEVELOPMENT ORDINANCE

Mr. Rodney Queen, Chair of the Salisbury Tree Board, and Ms. Lynn Raker, Urban Design Planner, addressed Council regarding proposed amendments to Chapter 8, Landscaping, of the Land Development Ordinance (LDO). Mr. Queen explained the proposed changes regarding Tree Canopy Preservation and Enhancement:

- LDO committee directive
 - To consider enhanced tree preservation standards after the LDO is adopted
- Tree Board subcommittee formed in 2010 to consider enhanced tree preservation standards
 - Topics
 - Current standards and preservation incentives
 - City green data environmental impact
 - Plant-back requirements
 - Tree preservation
 - Master plan, etc.
 - Maps of existing canopy, slopes analysis

Mr. Queen reviewed the Tree Board recommendation to protect, preserve and enhance the community's tree canopy while supporting the rights of property owners to participate in positive planned growth. He displayed photographs of development sites where trees were removed and noted some of the sites were left in disarray. He pointed out changes needed to the LDO so future sites will meet the developer's needs while enhancing the City.

Mr. Queen noted trees are major capital assets in an urban environment and perform many functions that contribute to the overall health and livability of a city. He pointed out other benefits of trees:

- Trees reduce pollen
 - Help settle out, trap, and hold, harmful pollutants
 - Absorb CO₂ and other dangerous gases, replenish oxygen
 - Produce enough oxygen on each acre for 18 people every day
 - Absorb enough CO, on each acre, over a year's time, to equal amount produced by driving a car 26,000 miles
 - Rowan County is labeled non-attainment county
- Trees Conserve water and reduce soil erosion.
 - Trees create organic matter from their leaf litter
 - Roots increase soil permeability, resulting in:
 - Reduced surface storm water runoff (Note: City Stormwater Plan)
 - Reduced soil erosion and stream sedimentation
 - Increased ground water recharge significantly reduced by paving
 - Lesser amounts of chemicals transported to streams
 - Reduced soil erosion

- Trees modify climate
 - Help cool "heat island" effect in cities (concrete, steel, etc.)
 - Lower air temperature through shade
 - Increase humidity in dry climates through evaporation of moisture
 - Reduce glare on sunny days
 - Provide wind breaks
- Trees save energy
 - Cooling in hotter months
 - Wind breaks in cold months
- Trees reduce noise pollution
 - Absorb and block noise from the urban environment
- Trees encourage wildlife and plant diversity
 - Trees and plants create local ecosystems that provide habitat and food for birds and animals
 - Trees offer suitable mini-climates for other plants that would otherwise be absent from urban areas
 - Biodiversity is a critical part of urban forestry
- Trees increase economic stability
 - Attract businesses and tourists
 - People linger and shop longer along tree-lined streets
 - Apartments and offices in wooded areas rent more quickly, have higher occupancy rates, and tenants stay longer
 - Businesses leasing office space in wooded developments find their workers are more productive and absenteeism is reduced
 - Healthy trees can add up to 15 percent to residential property value
 - Office and industrial space in a wooded setting is in more demand and is more valuable to sell or rent

Mr. Queen pointed out without trees cities would need to increase sewage and storm water drainage channels and waste treatment capacities to handle increased water runoff. He reviewed a summary of the proposed changes to the LDO 8.3 General Provisions:

- Tree Removal and Replacement on Private Property:
 - Permit for trees to be replaced or removed if planted to meet requirements of Landscape Ordinance
 - Replacement trees shall equal or exceed the minimum size originally required
 - Payment in-lieu option

Mr. Queen explained the proposed changes allow property owners to remove trees from their property, but a permit is required and a replacement tree that meets the new requirements must be planted.

Mr. Queen reviewed the proposed Applicability and General Provisions of the LDO:

- Clearing (or clear cutting)
 - For sites three acres or greater and notwithstanding the clearing of underbrush, the clearing of trees shall be prohibited unless the clearing is part of, and shown on, an approved site-specific development plan. The clearing of trees shall include complete removal of all fallen and residual debris
- Clearing, grubbing, and/or grading in phases
 - When developing in phases, it shall be prohibited to clear, grub, and/or grade multiple phases at one time except where public utilities, public infrastructure, and stormwater control devices are to be located on subsequent phases

Mr. Queen explained the landscape credits for tree preservation:

- Credits for tree preservation are available when trees proposed for preservation are clearly identified on the Landscape Plan
- Minimum size requirement to qualify for tree preservation is a 4-inch diameter at breast height
- Landscape credits for existing trees within planting yards will be given at the rate of 12 points per 4-inch diameter at breast height of the existing plant preserved. (See Section 8.6 for details on points for landscaping.)

Mr. Queen noted the protection of existing vegetation during construction:

- A Tree Protection Plan, showing there will be no disturbance in the critical root zone, shall be submitted prior to grading
 - Trenching, placing backfill, driving, or parking equipment in the critical root zone, and the dumping of materials detrimental to plant health in close proximity of the trees to be preserved is prohibited
 - Submit plan showing how the critical root zone of preserved trees will be protected during construction

Mr. Queen reviewed the tree canopy summary:

- Minimum of 30 percent overall tree canopy for new development
 - One tree per 500 square feet of gross surface area
- Required planting yards, street yards, and parking lot landscaping count toward 30 percent

Mr. Queen reviewed the plant-back procedures:

- One year grace period after clearing for development to commence, then replant within 180 days of receiving an inactivity notification
 - Replant at a rate of at least 36 shade trees per acre
- If development activity ceases on a phase, where streets and/or utilities have been installed, for at least one year, replant on the partially-developed phase within 180 days of receiving an inactivity notification.
 - Replant all required street yard trees per the approved Landscape Plan

Mr. Queen reviewed the next steps for the tree canopy preservation and enhancements:

- Develop a Tree Preservation Master Plan that identifies high quality tree stands
- Integrate tree preservation standards into City's Stormwater Management Plan

Mr. Queen thanked everyone who worked on the project for the last two years. He acknowledged Ms. Raker, Landscape Manager Mark Martin, and Tree Board Vice-Chair Johnny Safrit for their work on the project. He indicated the City's protection of the environment will have a direct impact on future generations.

Mayor Woodson thanked Mr. Queen for the excellent presentation, and he acknowledged the hard work of the Tree Board and staff.

Councilmember Kennedy thanked Mr. Queen, and he pointed out this is the first step in a long process.

Mayor Pro Tem Kluttz stated the City is very fortunate to have volunteers, staff, and citizens who are concerned about the City's appearance, environment, and future. She indicated this is the beginning of a long process, and she pointed out Council must carefully balance the needs of the City and the property owners.

Thereupon, Ms. Blackwell made a **motion** to refer the proposed amendments to Chapter 8, Landscaping, of the Land Development Ordinance to the Planning Board for review. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

"PROJECT GREEN" INVESTMENT GRANT REQUEST

Mayor Woodson asked if Council would like to schedule a public hearing for Tuesday, August 21, 2012 regarding an Investment Grant request from "Project Green."

Thereupon, Ms. Kluttz made a **motion** to set a public hearing for Tuesday, August 21, 2012 to receive public comment regarding an Investment Grant request from "Project Green." Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

SHELTER MINISTRIES OF ROWAN COUNTY - REAL ESTATE PURCHASE

Community Planning Services Director Joe Morris addressed Council regarding an offer from Shelter Ministries of Rowan County to purchase property owned by the City located on Martin Luther King Jr. Avenue.

Mr. Morris explained the site development plan for the new homeless shelter has been approved, and the schedule for a public hearing to close alleys in the area was adopted in the Consent Agenda. He indicated the project is under the City Manager's direction, and staff is recommending Council consider adopting a Resolution to authorize the sale.

Mayor Pro Tem Kluttz stated a new shelter is a great use for the property, and she added she is proud to be a member of the Council to offer the property to Shelter Ministries.

Thereupon, Mr. Kennedy made a **motion** to adopt a Resolution authorizing the City Manager to dispose of the property located on Tax Map 10, Parcels 402, 403, 403A, and 443, by private sale to Shelter Ministries of Rowan County in the amount of \$1. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

RESOLUTION AUTHORIZING THE CITY MANAGER TO DISPOSE OF THE PROPERTY LOCATED ON TAX MAP 10, PARCELS 402, 403, 403A, AND 443, TO SHELTER MINISTRIES OF ROWAN COUNTY IN THE AMOUNT OF \$1.

(The above Resolution is recorded in full in Resolution Book No. 14 at Pages No. 28, and is known as Resolution 2012-15.)

CITY MANAGER'S COMMENTS

(a) Update - New Recycling Service

Solid Waste Division Manager Brian Moore and Community Planning Services Director Joe Morris addressed Council regarding the new recycling program. Mr. Moore explained:

- New service began July 2, 2012
- New contract with Waste Pro
- Transitioned from a 14-gallon bin to a 96-gallon roll-out cart
- Switched to bi-weekly automated collection

Mr. Moore explained it takes approximately six of the previously used bins to equal the capacity of one of the new 96-gallon roll-out carts. He indicated educational material was distributed with every cart and included recycling schedules, a list of recyclable materials, instructions, and contact information. He reviewed the positive feedback received for the new program and where there is room for improvement:

- Positive Feedback
 - The volume of the cart and the bi-weekly collection
 - Roll-outs are easier to handle
 - More types of recyclables are collected
 - Fewer vehicles using less fuel
 - Overall, the education program has been effective
- Room for Improvement
 - Carts were distributed to vacant properties
 - Roll-outs are too large, difficult to store
 - Some confusion about schedule, cart placement, and storage
 - Provisions of City Code (Section 21-21) need clarification

Mr. Moore reviewed the solutions moving forward:

- Collecting unused roll-out carts from vacant properties, over 185 collected so far
- Continuing to educate citizens regarding the schedule, cart placement, and storage
- Begin individual tagging improperly stored carts
- Adjust City Code Section 21-21 for clarity

Mr. Morris noted there is conflicting language in the City Code regarding the placement of roll-out carts on the street. He explained staff will work to revise the Code and bring the revisions to Council for approval.

Mr. Moore displayed a photograph of a roll-out cart improperly located in the street, and a photograph showing how this can impede the collection process. He played a video illustrating the correct operation procedure and correct cart placement.

Mayor Woodson asked about proper recycling techniques for shredded paper in clear plastic bags. City Manager Doug Paris stated shredded paper must be in a clear plastic bag so it does not blow out of the cart or truck and onto the street. Mr. Morris explained the shredded paper is delivered to a municipal recovery facility, and the clear plastic bag allows workers to see the paper inside. He noted the paper is manually taken out of the bags and loaded into the paper chute.

Mayor Pro Tem Klutz stated Council has heard concerns from the community regarding recycling, and she noted it is hard to educate everyone at once. She pointed out the ability to recycle more items is better for the environment, the carts can be rolled out instead of carried, and the carts have lids that cover the recyclables during the week. She thanked staff for an excellent job on the project.

Councilmember Miller asked about recycling volume. Mr. Moore stated staff should receive information regarding recycling volumes later this month. He noted the City will receive a bill each month based on recycling volume. Mr. Miller requested staff update Council regarding recycle volumes.

Mr. Moore stated many citizens are excited about the new recycling program and their ability to recycle more items. He added citizens who were negative at first are seeing the benefits of the new program.

Mayor Pro Tem Kluttz asked for the phone number in case citizens need to contact Waste Pro or the Solid Waste Department. Mr. Moore noted the phone numbers:

Waste Pro	(704) 792-0800
Solid Waste	(704) 638-5256

(b) Bid for Street Paving

Purchasing Manager Anna Bumgarner addressed Council regarding street paving to be completed with the one cent tax increase, known as penny for paving. She explained the project budget:

- Budget for Asphalt: \$298,000.00
- Asphalt Bid: \$281,175.00

Ms. Bumgarner noted the low bidder for the project was APAC Atlantic, Inc., Thompson Arthur Division. She reviewed the streets to be paved, and she pointed out the order to be paved has not been determined due to repairs that must be completed prior to paving:

- Reeves Street
- Earnhardt Avenue
- Florial Street
- Polo Drive
- West Fisher Street
- South Link Street
- Lash Drive

Ms. Bumgarner stated the bid was prepared as a unit cost bid, based on estimated amounts of asphalt, and she pointed out the total may fluctuate due to actual usages. She indicated the City plans to use any savings from the street paving to fund a sidewalk on Lash Drive.

City Manager Doug Paris explained during the budget workshop, Council requested staff look for savings in the street paving process. He noted he visited Lash Drive, and it is a pressing need. He indicated he would like to make a second presentation to Council regarding the usage of street paving savings when the time is appropriate.

Councilmember Miller asked when the street paving is scheduled to begin. Ms. Bumgarner stated staff plans to begin the process as soon as possible. She indicated the project will be completed in two phases, taking into consideration paving may have to stop during the winter months. She noted Street Division Manager Craig Powers will determine a schedule to be brought before Council.

Mayor Woodson asked if Lash Drive was one of the worst streets in the City. Mr. Paris stated that is correct, and he noted before paving can begin the stormwater must be addressed. He indicated the stormwater is causing pavement issues and partnerships with private property owners will be needed to resolve the situation.

MAYOR'S ANNOUNCEMENTS

(a) National Night Out

Mayor Woodson announced the Salisbury Police Department and community and neighborhood organizations will host National Night Out Tuesday, August 7, 2012, from 5:00 p.m. until 9:00 p.m. Participating neighborhoods will have cookouts, games/events, and visits from the Salisbury Fire Department, McGruff the Crime Dog, Salisbury Police officers, and the Salisbury Police Chief.

(b) Neighborhood Walk-About

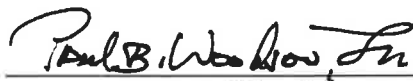
Mayor Woodson announced a Neighborhood Walk-About, in conjunction with National Night Out, will be held in the West End Community Tuesday, August 7, 2012, from 6:30 p.m. until 8:00 p.m. at Moore's Chapel A.M.E. Zion Church, located at 500 Partee Street.

(c) BB&T Sunset Run

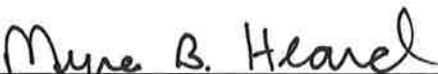
Councilman Miller announced the BB&T Sunset Run 5K will take place Friday, September 7, 2012 in downtown Salisbury at 8:00 p.m.

ADJOURNMENT

Motion to adjourn the meeting was made by Ms. Kluttz seconded by Ms. Blackwell. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 4:56 p.m.



Paul B. Woodson, Jr., Mayor



Myra B. Heard, City Clerk