

REGULAR MEETING

PRESENT: Mayor Susan W. Kluttz, Presiding; Mayor Pro Tem, Paul B. Woodson, Jr.; Councilmen William (Bill) Burgin; William (Pete) Kennedy; Mark N. Lewis; City Manager, David W. Tremé; City Attorney, F. Rivers Lawther, Jr. and City Clerk, Myra Heard.

ABSENT: None.

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Councilman Burgin.

PLEDGE OF ALLEGIANCE

Mayor Kluttz led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Kluttz recognized all visitors present.

RECOGNITION OF SALISBURY HIGH SCHOOL

Mayor Kluttz recognized Salisbury High School for receiving the Lighthouse School Award from the North Carolina Association for Supervision and Curriculum. She noted that this award is presented annually to one (1) or more North Carolina Schools that are leading the way in innovative programs and practices that get demonstrated results.

Mayor Kluttz recognized Dr. Windsor Eagle, Principal, and presented him with a Certificate of Appreciation from Salisbury City Council and congratulated him on this achievement.

RECOGNITION OF GORDON WITTE – SALISBURY HIGH SCHOOL

Mayor Kluttz recognized Mr. Gordon Witte of Salisbury High School for winning the Central Carolina's Conference Wrestling Heavyweight Division Championship, the North Carolina 2A Mid-Western Regional Championship and the North Carolina 1A/2A State Championship for the second consecutive year.

Mayor Kluttz read a Proclamation declaring March 20, 2007 as Gordon Witte, NC Wrestling 1A/2A Champion Day and presented him with a framed copy of the Proclamation. She recognized his mother Ms. Patty Washington and Principal Dr. Windsor Eagle and congratulated Mr. Witte on his accomplishment.

RECOGNITION OF EMMA MILLER – SALISBURY HIGH SCHOOL

Mayor Kluttz recognized Ms. Emma Miller of Salisbury High School for being selected as a member of the 2006 National Soccer Coaches Association of America's adidas High School Girls Scholar All-America Team and noted that this honor is given to only thirty-five (35) players from across the nation.

Mayor Kluttz read a Proclamation declaring March 20, 2007 as Emma Miller NSCAA/adidas High School Girls Scholar All-America Day and presented her with a framed copy of the Proclamation. She recognized Ms. Miller's parents, Mr. Owen and Mrs. Gina Miller; her grandmother Ms. Maria Miller; her coach Mr. Matt Parrish; and Principal Dr. Windsor Eagle. Mayor Kluttz congratulated Ms. Miller on her achievement.

RECOGNIZE THE WINNERS OF THE PUBLIC SERVICES DEPARTMENT'S POSTER ART CONTEST

Mr. Tony Cinquemani, Public Services Director, stated that in efforts to promote recycling the Public Services Department held a poster contest. The information was distributed to all public and private schools and fifty-four (54) entries were received. He then presented the winners of the poster contest to Council. Mayor Kluttz presented each winner with a certificate and winners were also presented with a City of Salisbury gift bag.

Winners were:

Grades K-2

- 1st place - Bethany Raynes, Bostian Elementary School
- 2nd place - Brianna White, North Rowan Elementary School
- 3rd place - Mason Greenwood, North Rowan Elementary School

Grades 3-5

- 1st place - Brandon Kalbaugh, Granite Quarry Elementary
- 2nd place - Layla Laws, Rockwell Elementary

Grades 6-8

- 1st place - Andrew Parks, North Hills Christian School
- 2nd place - Aaron Naylor, North Hills Christian School
- 3rd place - Amanda Matlock, North Hills Christian School

Grades 9-12

- 1st place - Janae Turner, Jesse C. Carson High School
- 2nd place - Rebecca Hartley, Jesse C. Carson High School
- 3rd place - Leah Manley, North Hills Christian School

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RECOGNIZE JOE EAGLE – HUMAN RESOURCES ANALYST

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Ms. Melissa Taylor, Human Resources Director, introduced Human Resources Analyst Joe Eagle. She informed Council that Mr. Eagle has been certified as a Certified Specialist in Human Resources and will now be known as an expert in training and development.

Mayor Klutz presented Mr. Eagle with a plaque awarding his Certified Specialist status and congratulated him on this accomplishment.

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CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of March 6, 2007.

(b) Group Development Site Plans

Approve the following group development site plans:

- G-06-94 McDonalds Restaurant, 1957 W. Jake Alexander Blvd.
- G-21-06 Shoppes at Innes Street, 1301 E. Innes Street

(c) Street Closure for Police Department Dedication

Close the intersection of North Lee Street and East Liberty Street, March 26, 2007 from 10:00 a.m. until 12:00 noon for the dedication and open house of the new addition and renovations to the Salisbury Police Department.

Thereupon, Mr. Kennedy made a **motion** to adopt the Consent Agenda as presented. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

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ZONING MAP AMENDMENT Z-02-07 WHITE FARM ROAD

(a) Mr. Preston Mitchell, Senior Planner, informed Council that zoning map amendment Z-02-07 is a petition by Mr. Tim Lesley to rezone property from A-1 Agricultural to R-8 Single-family Residential. He described the two (2) zoning districts and noted that A-1 has low-density residential and allows farming and forestry uses. R-8 is used primarily for single-family dwellings and their customary accessory uses.

Mr. Mitchell reviewed an aerial photograph of the property and noted it is located along the west side of White Farm Road and is one-third of a mile north of Jake Alexander Boulevard. He pointed out its proximity to the Hidden Creek subdivision. Mr. Mitchell indicated that approximately ninety-five (95) percent of the property's boundaries are undeveloped and the property is heavily treed.

Mr. Mitchell stated that the zoning adjacent to the property in question is R-8 and noted that there is a small portion of the property already zoned R-8 with the remaining portion being A-1. He commented that the request is to fill the remaining portion of the property with R-8 zoning. He noted that to the north of the property the zoning is A-1, with a few R-D districts in close proximity.

Mr. Mitchell reviewed the request in relation to the Strategic and Comprehensive Plans and stated that the property falls within the Primary Growth Boundaries of both Plans. This means that urban-level services already exist or can be provided or extended cost effectively. He noted that

there are over one hundred (100) acres surrounding the property already zoned R-8 and the majority is undeveloped. He commented that staff would like to perform a land use plan for the area to determine if R-8 is the best use. He added that at this point the area is already zoned R-8 and the request is to fill the remaining portion of one parcel to the same zone. Mr. Mitchell commented that water and sewer lines do not currently extend to the site but could most likely be extended from the Hidden Creek area.

Mr. Mitchell informed Council that the Planning Board recommended that the petition is consistent with the City's growth and comprehensive plan and recommended approval of the petition by a vote of 5-1.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, to consider zoning map amendment Z-02-07 to establish rezoning of White Farm Road.

Mr. Tim Lesley stated that he is the owner of the property and requested the rezoning. He noted that part of the property is already zoned R-8 and he is only asking to extend the zoning to the property lines. He commented that he currently has no plans for a subdivision, but would like the property zoned to the property lines in order to see what he might be able to do in the future.

Mr. Russell Barber, 655 White Farm Road, stated that he is not sure how he stands on the request since the property is already zoned R-8. He informed Council that there is an illegal dump on the property. He noted that he has contacted the Environmental Protection Agency (EPA) but has not gotten a response. He questioned why houses would be built close to this hazardous area and noted that if children move into the houses they will go into the woods and he is concerned about the public safety. Mr. Barber stated that there have been no visual inspections of the dump yet but that there used to be raw rubber dumped there. He stated that if the property can be cleaned up he has no objections to the property being rezoned and questioned who should be responsible for the cost of the clean up. He added that the land lays on a grade near a creek and during heavy rains there is debris floating in the water.

Mr. Marvin McDaniel, White Farm Road, stated that he lives south of the property and has no objections to the rezoning but he is concerned about the road and the speed of traffic. He stated that he feels there is a safety problem because of the volume and speed of traffic on White Farm Road and people do not obey the speed limit. Mr. McDaniel requested someone to ticket those who are speeding and added that he feels the problem will only get worse.

Mr. Ben Mowery, White Farm Road, stated that his property adjoins this property and it is his understanding the owner wants to put in six (6) to eight (8) houses per acre. He stated that he feels this will devalue all of the property in the area and noted that he could accept one house per acre but he does not feel this many houses on one acre will work.

Mr. Wade Myers, 230 Ridge Road, stated that he owns property north of this property and it is all farmland. He added that he does not understand how most of the property came to be zoned R-8 in the first place. He commented that he understands that the owner wants high density housing and he is not sure what R-8 means. Mr. Myers added that when pavement is put on the property the runoff will go across his property and he is concerned about where the water will go.

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

Mayor Kluttz asked Mr. Mitchell if he would like to respond to some of the concerns raised during the public hearing. Mr. Mitchell commented that regarding high density in R-8, the density is a medium density with approximately five and four tenths (5.4) units per acre allowed. He stated that there is a minimum of eight thousand (8,000) square feet per lot size and that equates to approximately five and four tenths (5.4) units per acre.

Councilman Burgin noted that R-8 is the least dense residential and his experience has shown that based on topography the maximum units allowed will rarely fit onto the property. He expressed concern about the illegal dumping issue and questioned if Council has jurisdiction for this issue asking if the issue has been addressed. City Manager David Tremé stated that he is not aware that anyone from the City has been contacted about the site but the North Carolina Department of Environment, Health and Natural Resources (NCDENR) should be contacted in order to visit the site and determine the impact of the dump.

Mayor Kluttz asked Mr. Barber to contact City Clerk Myra Heard at 704-638-5224 to provide the necessary information perhaps City staff can contact the EPA on his behalf.

Mr. Burgin stated that he feels the rezoning is reasonable and the property is within in the City's growth area and he supports it.

Councilman Kennedy noted that those who spoke during the public hearing were not against the rezoning but other issues in the area. He agreed that there is a traffic problem on White Farm Road that needs to be addressed.

Councilman Lewis stated that the issue with dumping is a development issue rather than a zoning one. He commented that if the owner seeks private funding from a financial institution to begin development Phase I environmental surveys will be required. He added that these surveys can be quite expensive and anyone in the chain of title will be held responsible for the clean up. He stated that White Farm Road is a state road and noted that the City cannot make improvements to it. Mr. Lewis added that there are other residential zoning districts that allow for less dense development but he does not believe they are appropriate for this situation.

Councilman Kennedy asked who enforces the speed in this area. Mr. Tremé responded that the City can request the State look at the speed limit but the Highway Patrol has jurisdiction for speed control.

(c) Councilman Lewis stated that the City Council hereby finds and determines that adoption of an Ordinance to rezone properties as described herein is consistent with the goals, objectives, and policies of the Strategic Growth Plan and the Vision 2020 Comprehensive Plan and that adoption of

the ordinance is reasonable and in the public interest. Thereupon, he made a **motion** to adopt an Ordinance amending the official zoning map of the City of Salisbury, North Carolina, by rezoning approximately 10 acres encompassing a portion of 1 parcel located along the west side of White Farm Road identified as tax map 320 and parcel 115 from A-1 (Agriculture) District to R-8 (Single Family Residential) District. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE (5-0).

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING APPROXIMATELY 10 ACRES ENCOMPASSING A PORTION OF ONE PARCEL IDENTIFIED AS TAX MAP 320, PARCEL 115, FROM A-1 (AGRICULTURE) DISTRICT TO R-8 (SINGLE FAMILY RESIDENTIAL) DISTRICT

(The above Ordinance is recorded in full in Ordinance Book No. 21, at Page Nos. 19-20, and is known as Ordinance No. 2007-09.)

GROUP DEVELOPMENT SITE PLAN G-02-00 LONE HICKORY VILLAGE, 300 BLOCK OF MORLAN PARK ROAD

(a) Mr. David Phillips, Zoning Administrator, presented the group development site plan for Lone Hickory Village located on Morlan Park Road. He stated that when the property was zoned RD-B-S (Special Residential District B) it was with the condition that the lots that abut Rowan Terrace would maintain the R-8 Single Family setbacks and a maximum of twenty-one (21) lots would be developed. He explained that these conditions have not changed with the resubmitted site plan and that the developer has resubmitted to request an extension of time as well as a change in the type of curb and gutter to be used in the subdivision. He noted that RD-B criteria require vertical curb and gutter but the developer has requested the use of valley curb in the subdivision. He pointed out that the Technical Review Committee discussed the request and concluded that the vertical curb was more practical. Staff recommended that the extension be granted with the condition that the vertical curb and gutter be maintained. He added that the Planning Board voted five (5) to one (1) in favor of staff's recommendation.

(b) Mayor Kluttz opened the floor to receive public comment regarding site plan G-02-00.

Mr. Joe Mathis, North Main Street, Granite Quarry, requested he be allowed to use valley curb and gutter because a previously approved subdivision (The Gables) was approved for the same type of modification. He explained that his site plan has a similar layout as The Gables with fifty (50) foot lots, many of which are pie-shaped and in a cul-de-sac. He concluded by stating that he is requesting valley curb and gutter versus vertical curb and gutter based on the precedent Council set with a prior developer (The Gables).

There being no one else present to speak to Council, Mayor Kluttz closed the public hearing.

Mayor Pro Tem Woodson stated that he remembers The Gables being approved as an adult retirement community and the valley curbing would be more accessible for the elderly residents. He asked Mr. Mathis if the proposed site plan would be for the elderly.

Mr. Mathis answered that it would not be a retirement community. He indicated that The Gables is for residents over the age of fifty-five (55) but that they also have a percentage under the age of fifty-five (55) that are allowed. He noted that the proposed site plan will not be all handicap accessible but he feels the valley gutter will look smoother and provide easier access.

Councilman Kennedy asked Councilmen Burgin and Lewis how the new Land Development Ordinance will address this issue.

Councilman Burgin stated that the new ordinance allows some flexibility depending on how far from the core of the City the property is developed. He indicated that this site is located where the City would expect it to have vertical curb and added that he does not see this as the same type of development as The Gables.

Councilman Lewis stated that each lot in the proposed site will have a driveway which will serve as an access for the handicapped. He explained that The Gables has significant open space which provides more reason for the residents to come out of their homes. He indicated that this subdivision is higher density and is appropriate for vertical curb and gutter. He pointed out that when there is a sidewalk with valley curb and guttering drivers do not respect the pedestrian realm as with the vertical curb and gutter.

(c) Thereupon, Mr. Lewis made a **motion** to deny the request for valley gutter for Group Development Site Plan G-02-00 Lone-Hickory Village, located in the 300 block of Morlan Park Road and allow a one (1) year extension. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

PRESENTATION FROM ECONOMIC DEVELOPMENT COMMISSION

Mr. Randy Harrell, Executive Director, and Mr. Jack Owens, Vice Chairman for the Salisbury-Rowan Economic Development Commission (EDC) presented its annual budget request to Council.

Mr. Harrell stated that the mission of the EDC is to promote a vital economy to improve the overall quality of life for residents of Rowan County. He noted that the EDC was established in August 1984 by Rowan County, City of Salisbury and the incorporated municipalities in Rowan County to act as a unified force on matters affecting economic development and to serve as the lead agency for "client handling" and product development in Rowan County.

Mr. Harrell reviewed EDC accomplishments:

- One of the most respected and recognized economic development organizations in the state, the region and the country

- Professional relationships and contacts:
 - The North Carolina Department of Commerce
 - Site selection consultants
 - Charlotte Regional Partnership
 - North Carolina Citizens for Business and Industry
 - North Carolina Economic Development Association
 - Southern Economic Development Council
 - World Congress/Corenet Global
 - Economic development allies
- Business Environment
 - State of the Art prospect presentation room
- Proven track record of recruitment, retention and expansion
 - Toyota Racing Development \$23 million, 40 jobs
 - PGT Industries \$33 million, 750 jobs
 - Food Lion Expansion \$35 million, 150 jobs
 - National Starch Expansion \$19 million, 30 jobs
 - Square D/IPACS Expansion \$5 million, 70 jobs
 - Iowa Spring \$2 million, 20 jobs
 - Maxon Furniture \$1 million, 10 jobs
 - MI Windows & Doors \$15 million, 175 jobs
 - Meridian Automotive Products \$18 million, 450 jobs
 - Alcoa \$3 million, 20 jobs
 - Walk On Products \$5 million, 20 jobs
- Total jobs created: 1,250
- Rowan County Tax Base
 - 2004 - \$9,300,000,000
 - 2005 - \$9,500,000,000
 - 2006 - \$9,800,000,000
- Increase of approximately \$500 million in two (2) years

Rowan County buildings sold or leased in 2006:

- Andrews Building #1
- Andrews Building #2
- Anthony Building
- Coors Building
- Modular Home Sales Center Location
- Old Duke Power Building
- Parkdale Mills
- Rags Building
- Rowland Building #3
- Silver Eagle Building
- W.A. Brown Building
- Wellington Leisure Products

The Salisbury-Rowan EDC website visit summary for 2006:

- 475,000 total hits annually
- 1,315 average hits per day
- 47,000 total visitors annually
- 125 average visitors per day

Projects and inquiries for 2006:

- 145 total projects and inquiries
 - 50 projects
 - 11 projects actively worked in November
 - 95 inquiries
 - 18 inquiry responses in September

Publications and Marketing

- Annual Directory of Manufacturers
- Regulatory and Business Assistance Guide
- Quarterly Newsletter
- Prospect Packages
 - Information packages created for Projects provided to Prospects
 - Include location map, site map, site plans, topographical map, elevations, aerials, demographic profiles, purpose letter, and state and local grants

Mr. Harrell noted the business that were assisted or visited through business retention calls. He reviewed ongoing programs for the EDC:

- Lead agency for economic development
 - Client handling
 - Product development – site certification and spec buildings
 - Recruitment
 - Marketing – missions and projects
- Business expansion and retention specialist – Stuart Hair
 - Existing Industries Program
- Recruit and retain businesses which approach or exceed the following criteria:
 - Provide above average wages and employee fringe benefits
 - Are capital intensive by increasing the tax base without significantly impacting existing infrastructure
 - Provide a high investment per job created
 - Are clean and environmentally sensitive

Mr. Harrell requested Council appropriate \$69,498 to the Salisbury-Rowan EDC for Fiscal Year 2007-08 and added that this is the same amount as funded last year.

Mayor Kluttz thanked Mr. Harrell and the EDC Board and indicated that this work is crucial for both the City and the County.

PRESENTATION FROM “SPECIAL COMMUNITY EFFORTS GROUPS”

Mayor Kluttz opened the floor to receive comments and requests from special community efforts groups.

Ms. Kaye Hirst, Rowan Museum, addressed Council regarding the programming and educational outreach of the Museum and indicated that it currently serves several thousand students annually. She pointed out that, due to demand, they will be increasing the day camp programming for the upcoming summer and that the adult history educational programming is also increasing. She noted that the Museum works closely with Downtown Salisbury, Inc. and the Rowan Public Library on projects.

Mr. Ed Norvell, President of the Rowan Museum Board of Directors, explained that the museum has invested money in downtown Salisbury during the past year by adding a \$565,000 addition to the back of the Old Courthouse. The addition included the installation of an elevator which has opened up the second floor of the Courthouse resulting in more rentals. He also noted that they performed a \$40,000 exterior renovation to the Utzman-Chambers house on Jackson Street. He concluded by stating that he appreciates Council’s past support and looks forward to their future support.

Mayor Kluttz thanked Ms. Hirst and Mr. Norvell and added that the City Council enjoyed their annual retreat that was held at the Museum this year.

Ms. Kaye Hirst and Ms. Janie Allen, The Mural Preservation Inc., stated that they are volunteers dedicated to preserving the Historic Mural and that their group was formed in 1988 to maintain its integrity. She pointed out that the Mural is a wonderful tourist attraction in the community and they want it to survive. She stated that the artist has spent several summers working on the Mural but the exposure to the sun continues to diminish the color. She stated that Mural Preservation, Inc. would like to have funds to hire the artist to return to work on the Mural this summer at an estimated cost of \$5,000 to \$6,000. She requested \$3,000 from Council to help pay for the upcoming painting season.

Mayor Kluttz thanked The Mural Preservation, Inc. for their work on the beautiful piece of public art.

2007-2008 CDBG AND HOME PROGRAM FUNDS BUDGET

Ms. Janet Gapen, Senior Planner, reviewed the citizen participation plan for the FY2007-2008 for the Community Development Block Grant (CDBG) and HOME grant programs.

The sources for income are:

CDBG	\$327,526
Program Income	\$75,000
HOME	\$123,890
Total	\$526,416

Ms. Gapen then reviewed the draft budget for the CDBG program

<u>Project Activities</u>	
Acquisition/Rehabilitation/Resale	\$126,335
Owner-Occupied Rehabilitation	\$50,000
Emergency Rehabilitation	\$30,000
	\$206,335
<u>Public Services</u>	

Rowan Helping Ministries	\$25,000	
Family Crisis Council	\$15,600	
Community Care Clinic	\$11,050	
Salisbury Youth Employment	\$7,200	
West End Youth Garden	\$1,528	
		\$60,378
Program Administration		\$80,505
Debt Service – Section 108 Loan		\$55,308
Total CDBG Funds		\$402,526
HOME Program		
Project Activities		
New Construction	\$76,147	
Homeownership Assistance	\$40,000	
		\$116,147
Program Administration		\$7,743
Total HOME Funds		\$123,890
Total CDBG & HOME Funds		\$526,416

Ms. Gapen provided Council with a comparison of the CDBG and HOME program budget from FY06-07 to FY07-08:

BUDGET COMPARISON	FY06-07	FY07-08	+/-
CDBG			
Project Activities	\$214,523	\$206,335	-4%
Public Services	\$62,468	\$60,378	-3%
Program Administration	\$83,290	\$80,505	-3%
Debt Service Section 108 Loan	\$56,169	\$55,308	-2%
Total CDBG Funds	\$416,450	\$402,526	-3%
HOME			
Project Activities	\$116,803	\$116,147	-1%
Program Administration	\$10,123	\$7,743	-24%
Total HOME Funds	\$126,926	\$123,890	-2%

Councilman Kennedy stated that he met with the staff of Senator Elizabeth Dole and Senator Richard Burr to seek their support of the CDBG funds for the next fiscal year and received their support. He noted that he also met with Congressman Melvin Watts and Congressman Howard Coble and that they also supported the grant program.

Thereupon, Mr. Kennedy made a **motion** to approve the first reading of the 2007-2008 budget for CDBG and HOME program funds. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

AWARD A CONTRACT TO R. F. SHINN CONTRACTOR FOR THE INSTALLATION OF GRAVITY SEWER TO SERVE THE NEW SHIVE ELEMENTARY SCHOOL

Mr. Jim Behmer, Utilities Engineering Manager, stated that on March 6, 2007 Salisbury-Rowan Utilities opened eight (8) bids for the project to extend gravity sewer to Shive Elementary School. He indicated that R. F. Shinn Contractor, Inc. of Concord, NC submitted the lowest bid. He requested that Council award the contract in the amount of \$213,830.93 to R. F. Shinn Contractor, Inc. for the project. He added that this will be funded one hundred (100) percent by the Rowan-Salisbury School System.

Thereupon, Mr. Woodson made a **motion** to award a contract in the amount of \$213,830.93 to R. F. Shinn Contractor, Inc. for the installation of gravity sewer line to serve the new Shive Elementary School. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

REPORT REGARDING URBAN PROGRESS

Ms. Kathryn Clifton, GIS Coordinator, introduced Ms. Bonita Staples who is a new employee with the GIS division.

Ms. Clifton explained the new Urban Progress Zone process:

- Outline
 - Old: State Development Zone
 - New: Urban Progress Zone

- County Tier Designation
- Who is Eligible?
- Types of Tax Credits (applicable to Rowan)
- State Development Zone
 - William S. Lee Tax Credits
 - Repealed for business activities that occur on or after January 1, 2007
 - Replaced by Article 3J Credits (Urban Progress Zone)
 - Businesses previously receiving Lee Credits may continue to do so, but may not apply for both the Lee Credits and the Article 3J Credits
- Urban Progress Zone
 - Article 3J
 - Replaces the Lee Act
 - Municipalities with a population of at least 10,000 have the ability to define qualifying areas of poverty as Urban Progress Zones
- County Tier Designation – NC has 100 Counties
 - Tier 1 > 40 most distressed
 - Tier 2 > next 40 (Rowan County)
 - Rowan County falls under Tier 2
 - Rowan Wage Standard \$564 average weekly wage
 - Tier 3 > 20 least distressed – Ms. Clifton stated that the tier system is designated to encourage economic activity in the less prosperous areas of the state.
- Eligible Types of Business
 - Aircraft maintenance and repair
 - Air courier services hub
 - Company headquarters (that creates 75 new HQ jobs)
 - Customer service call centers
 - Electronic shopping and mail order houses
 - Information technology and services
 - Manufacturing
 - Motorsports facilities
 - Motorsports racing team
 - Research and development
 - Warehousing
 - Wholesale trade
- Types of Tax Credits for Tier 2 Designation
 - Credits for Creating Jobs
 - \$5,000 credit per job with a threshold of ten (10)
 - \$1,000 additional credit per job once threshold has been reduced to five (5), or
 - \$2,000 additional credit per job if the job is filled by a resident within the Urban Progress Zone
 - Credits for Investing in Business Property for Tier 2 Designation
 - 5% credit with a threshold of \$1,000,000
 - 7% credit with zero threshold in the Urban Progress Zone
- Determining the Zone
 - All land within the zone must be located in whole within the primary corporate limits
 - Zone delineated by census tracts or block groups (all, or portion within corporate limits)
 - More than 20% population below poverty level, or
 - Adjacent to a census tract or block group of which at least 20% population below poverty level and 50% zoned non-residential
 - Area zoned as non-residential does not exceed 35% of the total area of the zone
- Zone Limitations
 - Zone can only exist inside the primary corporate limits
 - Zone may not exceed 15% of the total area of the municipality

Ms. Clifton stated that in regards to determining the new zone she has been in contact with the Salisbury-Rowan Economic Development Commission and she will also be working with staff to review proposed zones. She re-emphasized that the zone can only exist within the corporate limits and noted that this may lead to requests for annexation. Ms. Clifton encouraged anyone interested in the areas being currently considered for the Urban Progress Zone to visit the GIS office. Mayor Klutz indicated that Council looks forward to hearing back from Ms. Clifton with a proposed area for the zone.

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PRESENTATION REGARDING NEW DOG WASTE STATIONS

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Mr. Stephen Brown, Parks & Recreation Maintenance Manager and Ms. Elaney Hasselman, Parks & Recreation Marketing and Community Relations Manager, updated Council on the new dog waste stations being installed at various parks and the Greenway. Mr. Brown stated that twenty

(20) new dog waste stations are being installed in well traveled areas throughout the City's park system. He reviewed the construction, cost and locations of the waste stations. He stated that the stations were constructed using recycled material from other projects at a total cost of \$285.48, which is equal to the cost of one (1) similar store bought station.

Ms. Hasselman presented to Council a video that will air on Access 16 television that explains the dog waste station program.

GOLF PATH ON THE GREENWAY

Ms. Gail Elder White, Parks & Recreation Director, informed Council that the Greenway is closed to motorized vehicles and added that the City has received complaints about golf carts using a section of the Greenway near Prescott Drive to avoid illegally using Old Mocksville Road. She indicated that a request was received from a group of golfers to partner with the City to create a golf cart path. She stated that the golf group contributed \$900 for the cost of the materials and a golf cart trail was installed by the Parks and Recreation Department and the Street Department at a cost of \$2,700 for staff and equipment. Ms. Elder White stated that she felt this was a win-win solution that will provide safety for the walkers as well as the golfers.

City Manager David Treme stated that this was a solution to accommodate all the users of the area.

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Community Appearance Committee

Mayor Kluttz noted that Ms. Barbara Perry has served for two terms on the Community Appearance Board and she has requested that the City waive the requirement that she be off of the board for one (1) year before being allowed to serve again. Ms. Kluttz explained that the Ms. Perry is currently the Chairman of the Board and there are several important projects currently being undertaken and she would like to be able to continue to serve. By consensus, Council agreed to waive the requirement and allow Ms. Perry to be reappointed.

Upon a **motion** by Mr. Woodson, seconded by Mr. Kennedy, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following reappointments were made to the Community Appearance Commission:

Ms. Greta Conner	Term expires 3-31-2010
Mr. Bill Safrit	Term expires 3-31-2010
Ms. Barbara Perry	Term expires 3-31-2010

Historic Preservation Commission

Upon a **motion** by Mr. Woodson, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following reappointment was made to the Historic Preservation Commission:

Ms. Anne Waters	Term expires 3-31-2010
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Upon a **motion** by Mr. Kennedy, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following appointment was made to the Historic Preservation Commission:

Ms. Kathy Walters	Term expires 3-31-2010
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Human Relations Council

Upon a **motion** by Mr. Kennedy, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following reappointment was made to the Human Relations Council:

Mr. Bob Setzer	Term expires 3-31-2010
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Hurley Park Advisory Board

Upon a **motion** by Mr. Kennedy, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following reappointments were made to the Hurley Park Advisory Board:

Ms. Gerry Hurley	Term expires 3-31-2010
Ms. Laura Lindsey	Term expires 3-31-2010

Upon a **motion** by Mr. Kennedy, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following appointment was made to fulfill an unexpired term on the Hurley Park Advisory Board:

Ms. Beth Woodson	Term expires 3-31-2009
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Planning Board

Upon a **motion** by Mr. Lewis, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the

following reappointments were made to the Salisbury Planning Board:

Ms. Valerie Stewart Term expires 3-31-2010
Ms. Diane Young Term expires 3-31-2010

Upon a **motion** by Mr. Kennedy, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following appointments were made to the Salisbury Planning Board:

Mr. Richard Huffman Term expires 3-31-2010

Upon a **motion** by Mr. Lewis, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following appointment was made to the Salisbury Planning Board:

Mr. Jeff Smith Term expires 3-31-2010

Upon a **motion** by Mr. Woodson, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following appointment to fulfill an unexpired term was made to the Salisbury Planning Board:

Mr. Craig Neuhardt Term expires 3-31-2009

Parks and Recreation Advisory Board

Upon a **motion** by Mr. Woodson, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following reappointments were made to the Parks and Recreation Advisory Board:

Mr. Brendan Davidson Term expires 3-31-2010
Mr. Gary Langford Term expires 3-31-2010

Upon a **motion** by Mr. Lewis, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following appointment was made to the Parks and Recreation Advisory Board:

Mr. Gene Krueger Term expires 3-31-2010

Tree Board

Upon a **motion** by Mr. Kennedy, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following appointment was made to the Tree Board:

Mr. Rodney Queen Term expires 3-31-2010

Zoning Board of Adjustment

Upon a **motion** by Mr. Lewis, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following reappointment was made to the alternate position to the Zoning Board of Adjustment:

Ms. Kim Davis Term expires 3-31-2010

Upon a **motion** by Mr. Kennedy, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following appointment was made to the Extra Territorial Jurisdiction position on the Parks and Recreation Advisory Board:

Reverend Grant Harrison Term expires 3-31-2010

Upon a **motion** by Mr. Woodson, seconded by Mr. Kennedy, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following appointment was made to the Zoning Board of Adjustment:

Mr. Sterling Primus Term expires 3-31-2010

Mr. Mark Lewis made a **motion** to appoint Ms. Kim Davis to the primary position and Mr. Sterling Primus to the alternate position on the Zoning Board of Adjustment. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

Greenway Committee

Upon a **motion** by Mr. Kennedy, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz vote AYE, the following reappointments were made to the Greenway Committee:

Dr. Sashi Sabaratnam Term expires 3-31-2010
Mr. Greg Greene Term expires 3-31-2010

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COMMENTS FROM THE CITY MANAGER

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(a) Planning Board

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Council received the Planning Board recommendation and comments from the March 13, 2007 meeting.

(b) Request to close West Fisher Street

Mr. Dan Mikkelson, Director of Land Management and Development, stated that a request was received from Caniche, located at 200 South Main Street, to close a portion of West Fisher Street from 8:00 a.m. until 11:00 a.m. for several days over a two (2) week period in order for a contractor to replace the roof of the building. He noted that the contractor would like to begin work on Wednesday, March 21, 2007. He indicated that the owners of Caniche have contacted the neighboring businesses and there is no opposition to the closing, but added that contact with Wachovia Bank could not be confirmed.

Mayor Kluttz requested that the street be closed a minimum amount of time because Bank Street is also closed during the remodeling of the Kress building.

Thereupon, Mr. Woodson made a **motion** to grant this request. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

(c) Federal Energy Regulatory Commission Submission

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City Manager David Treme presented to Council a copy of completed Federal Energy Regulatory Commission (FERC) submission regarding Scoping Comments and Response to Commission Request for Study Results of the issue regarding sedimentation and flooding that negatively impact the City's water intake. He indicated that if the problem continues it could possibly interrupt water service to forty thousand (40,000) residents. Mr. Treme noted that the report was filed with FERC February 23, 2007. He stated that at the April 3, 2007 Council meeting he would like guest speakers to address Council and present the final report.

Councilman Burgin stated that he is not sure the public understands the seriousness of this problem and the potential negative impact it will have on forty thousand (40,000) utility users. He added that it will affect not only day-to-day service for water but also growth.

Mr. Treme stated that the residents of Rowan County have already been affected by the increase in flooding caused by the dam. He indicated that he feels the City has the attention and support of the United States Senators and FERC and hopes that the State of North Carolina will assist the City with this issue.

Mayor Kluttz stated that the final decision rests with FERC and the City has contacted and informed everyone possible to obtain help in resolving this issue.

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COUNCIL TO RECEIVE PUBLIC COMMENT

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Mayor Kluttz opened the meeting for public comment.

Mr. Howard Doby, 119 South Salisbury Avenue, stated that he has a concern regarding property he owns on Laurel Springs Drive near Stokes Ferry Road. He indicated that to the right of his property there is a creek and a metal pipe on the City of Salisbury's right-of-way. He explained that there is a new development above his property which is causing rain water to run into the creek. He indicated that the creek cannot handle the run-off because the pipe is blocked and broken. He stated that he spoke with Mr. Larry Boles from the Utilities Department, and then met with Mr. Larry Lyerly, Utilities Systems Manager, at the site. He stated that he is concerned about the people in the development and the water that is not going into the pipe. He presented pictures of the site to the City Clerk.

Mr. Doby stated that he is also concerned about the poor condition of the streets in Salisbury, especially Council Street. He indicated that he is concerned with the growth of the City of Salisbury and would like to see the potholes repaired.

There being no one else present to speak to Council, Mayor Kluttz closed the public comment session.

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MAYOR'S ANNOUNCEMENTS

(a) U.S. Conference of Mayor's Climate Protection Agreement

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Mayor Kluttz stated that a proposed draft of the U. S. Conference of Mayor's Climate Protection Agreement has been provided to Council members for their review. She noted that it will be considered at the April 3, 2007 Council meeting after a presentation from Mr. Joe Morris, Planning and Community Development Director.

Mayor Kluttz stated that also at the April 3, 2007 Council meeting, Mr. Morris will make a presentation regarding the opportunity for the City to participate in a Cool City program by the Sierra Club regarding efforts to improve the environment.

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(b) Dedication and Open House for Salisbury Police Department

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Mayor Kluttz announced that the Dedication and Open House for the addition and renovation of the Salisbury Police Department will be held Monday, March 26, 2007 at 11:00 a.m. at 130 East Liberty Street, Salisbury, N.C.

(c) Public Informational Hearing

Mayor Kluttz announced that a public informational meeting will be held March 26, 2007 at 7:00 p.m. in City Council Chamber regarding the annexation of the following areas: Area 1 – Camp Road, Area 2 – Harrison Road, Area 3 – Hawkinstown Road, and Area 4 – Old Mocksville Road.

(d) Mayor's Spirit Luncheon

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Mayor Kluttz announced that the Mayor's Spirit Luncheon will be held Tuesday, March 27, 2007 at 12:00 Noon in Council Chambers at City Hall. She stated that the speaker will be Reverend Richard Stewart, a former Livingstone College student who was arrested during an integration protest. She added that Mr. Paul Bernhardt, former Mayor, will also be a speaker.

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(e) History and Art Trail "Integration" Plaque

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Mayor Kluttz announced that the Dedication of the History and Art Trail "Integration" plaque will be held Tuesday, March 27, 2007 at 5:30 p.m. at 121 West Innes Street. The dedication will be followed by a reception at The Plaza.

(f) Student Death and Gang Violence

Mayor Kluttz stated that the City of Salisbury experienced a horrible tragedy on Friday, March 16, 2007, when Ms. Treasure Feamster, a student at Knox Middle School, lost her life. On behalf of City Council, she expressed sadness over the loss of life of a child. She noted that Council is alarmed by the gun violence in the City and the possibility that it may be gang related. She pointed out that the increased evidence of gangs was discussed at the Council Retreat. She noted that the City has worked for five (5) years with Project SAFE Salisbury, to partner with federal, state and local law enforcement agencies to fight all illegal gun violence in Salisbury, and added that Project SAFE Salisbury recognizes the influence of gangs on the younger age groups. She indicated that Council wants to put more resources into this and that it will take the entire community working together. She noted that City Council is very concerned and will do whatever is necessary to protect the City's children.

(g) F&M Recognition of the Police Department

Mayor Kluttz announced that she received a compliment from F&M Bank regarding the Salisbury Police Department. She explained that on March 11, 2007 an individual attempted to cash a counterfeit check at the F&M Bank on Statesville Boulevard. She added that the branch personnel recognized it as being counterfeit and alerted other F&M branches. A short time later the same individual entered the F&M Bank on Avalon Drive and again attempted to cash a counterfeit check. She stated that the security officer notified Salisbury Police Detective J. D. Barber. He alerted Salisbury Police Department officers and supplied them with a picture of the individual. Mayor Kluttz stated that on March 12, 2007, the individual entered F&M Bank on North Main Street attempting to cash a counterfeit check. Bank personnel were able to get the individual's direction of travel and a description of the vehicle. Detective Barber was notified and immediately radioed officers working in the area. Officer Patrick Smith followed the suspect on bicycle until a police car could arrive and apprehend the suspect.

Mayor Kluttz congratulated Officer Smith, Lieutenant Sheila Lingle and Officer Bryant Willis who apprehended Mr. Derrick Williams from Charlotte, North Carolina. Mr. Williams was transported to the Salisbury Police Department and interviewed by Detective J. D. Barber and Detective Brian Cooper. Mr. Williams was part of a counterfeit check-writing ring that has hit numerous locations in North and South Carolina and F&M expressed their thanks for the work done by the Salisbury Police Department.

(h) Civitan Club

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Councilman Lewis announced that Mayor Kluttz has been selected as an honorary member of the Civitan Club and presented Mayor Kluttz with a Civitan shirt. Mayor Kluttz thanked Mr. Lewis and the Civitan Club.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Burgin, seconded by Mr. Woodson. All council members agreed unanimously to adjourn. The meeting was adjourned at 6:38 p.m.

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Mayor

City Clerk

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