

Salisbury, North Carolina  
January 16, 2007

## **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. Treme; 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.

## **DR. MARTIN LUTHER KING, JR. CELEBRATIONS**

Mayor Kluttz congratulated everyone involved with the Dr. Martin Luther King, Jr. events held throughout the previous weekend and noted that the celebrations were wonderful. She indicated that one issue raised during the events was that the City of Salisbury should have a street named for Dr. Martin Luther King, Jr. She stated that Councilman Kennedy introduced the idea of naming a City street after Dr. King over ten (10) years ago before the current members of Council were serving, but no action was ever taken. She asked Mr. Kennedy if he would like to share his original proposal with Council.

Councilman Kennedy commented that after hearing of many cities throughout the nation that have changed the name of streets to recognize Dr. Martin Luther King, Jr. he felt that it was time for the City of Salisbury to do something as well. He noted that Long Street has been mentioned as a possibility for the street to be renamed, but Council does not have information on what should or could be done at this point. He added that while not everyone would be happy with a change he has seen other cities change the name of the street by making Dr. King's name prominent while retaining the current name of the street right above Dr. King's on the sign. He stated that he would like Council to form a staff committee to investigate the feasibility of naming a City Street for Dr. Martin Luther King, Jr. He suggested Human Resources Director Melissa Taylor chair the committee and make a recommendation to Council regarding the name change.

Mr. Kennedy stated that he feels it is time the Salisbury-Rowan Human Relations Council spearhead the Dr. Martin Luther King, Jr. parade and feels they can work to make it a grand occasion. He added that the Human Relations Council has done a wonderful job with the Dr. Martin Luther King, Jr. breakfast and feels if they take the leadership with the parade it can be a great parade. Mayor Kluttz added that she would like to see the Dr. King celebrations coordinated and perhaps the Human Relations Council can help with this.

Mayor Kluttz asked for Council's consensus to investigate the feasibility of naming a street for Dr. Martin Luther King, Jr. By consensus, Council agreed for staff to begin an investigation of the City's naming policy and procedure and report back to Council during its retreat.

## **PROCLAMATION**

Mayor Kluttz proclaimed the following observances:

DR. MARTIN LUTHER KING, JR. DAY      January 15, 2007

**CONSENT AGENDA:**

- (a) Approve Minutes of the regular meeting of December 19, 2006.
- (b) Adopt the 2007 schedule of regular Council meeting dates.
- (c) Approve closing the 100 block of East Liberty Street Saturday, January 27, 2007 from 4:00 p.m. until 11:00 p.m. for the Waterworks Visual Art Center Oyster Roast.
- (d) Approve a request from the Andrew Jackson Masonic Lodge to reverse the flow of traffic and restrict parking on Water Street Thursday, February 22, 2007 for their annual Brunswick Stew sale.
- (e) Approve a revision to group development site plan G-07-02 Drummond Village Phase 1, 2800 block of Stokes Ferry Road.

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

Mayor Kluttz recognized Ms. Liz Tennent and Ms. Karen Carpenter from the Rowan County Youth Services Bureau and presented them with the Proclamation for National Mentoring Month.

**HIGHLIGHTS AND GOALS PRESENTATION FROM THE COMMUNITY APPEARANCE COMMISSION, HISTORIC PRESERVATION, AND PARKS AND RECREATION DEPARTMENT**

Mayor Kluttz noted that Council would receive Highlights and Goals presentations from the Community Appearance Commission, Historic Preservation Commission, and the Parks and Recreation Advisory Board.

Community Appearance Commission

Ms. Barbara Perry, Chair of the Community Appearance Commission (CAC) reviewed the CAC Highlights for 2006 and Goals for FY2007-08.

Highlights 2006

- Awarded six (6) Municipal Service District (MSD) Incentive Grants
  - Total Grants: \$10,703
  - Total Project Amounts: \$152,769
- Municipal Service District Grant History 1981-2006
  - Public Investment 1981-2006: \$352,000
  - Private Investment 1981-2006: \$4,700,000
- Awarded five (5) Innes Street Improvement Grants
  - Total Grants: \$25,000
  - Total Project Amounts: \$225,000
- Innes Street Improvement Grant History 1996-2006
  - Public Investment 1996-2006: \$186,000
  - Private Investment 1996-2005: \$3,500,000
- Art in Public Places Committee:
  - Fabrication of fourteen (14) History & Art Trail markers; three (3) installations
  - Development of History & Art Trail brochure
  - Jody Elff – Sound art presentation
  - Continued development of Gateway public art project
- Neighborhoods and Education Committee
  - Neighborhood Leaders Alliance
    - Subcommittee to study problem of deteriorated housing
    - Presentation to Council 12/19/06
    - Creation of web page for Resident Resources
  - Design of neighborhood entrance sign to be used by Park Avenue Neighborhood
- Landscape Committee
  - Eight (8) Landscape of the Month awards
  - 2<sup>nd</sup> Annual Holiday Storefront Decorations Award
  - Co-sponsored Fall and Spring spruce-up with Public Services department
- Participation on the Branding and Wayfinding Committee
- Participation on Land Development Ordinance Committee

Goals FY2007-08 – Level I Requiring Funding

- Continue the Municipal Service District Incentive Grant Program \$35,000
- Continue the Innes Street Incentive Grant Program \$35,000
- Host biennial CAC/Tree Board Awards Program \$4,000
- Continue Fall and Spring Spruce-up Days, Adopt a Salisbury Street Program, Landscape of the Month, and other programs \$1,600
- Improve appearance, comfort and maintenance of downtown streetscape with purchase of additional trash receptacles and benches (Map of phasing plan) \$5,000
- Salisbury History and Art Trail \$20,000
- Wiring and receptacles for 100 blocks of Main and Innes Streets \$5,000
- Receptacles in railroad bridge medians \$2,500

Goals FY2007-08 – Other Key Goals:

- Continue to serve as liaison for neighborhood leaders. Host quarterly neighborhood leaders meetings
- Support City-wide efforts to develop strategies to improve housing conditions
- Continue to raise awareness of public art opportunities

Mayor Klutz thanked Ms. Perry and members of the CAC for their work throughout the year. She noted an article from a newspaper in England regarding the Salisbury, England visit to Salisbury, Maryland and Salisbury, North Carolina in September 2006. She stated that the Mayor of Salisbury, England was quoted as saying the highlight of the visit was the History and Art marker honoring the sister city relationship between Salisbury, England and Salisbury, North Carolina.

Historic Preservation Commission

Mr. Michael Young, Chairman of the Historic Preservation Commission (HPC), and Mr. Jack Errante, HPC member, presented the HPC Highlights for 2006 and Goals for FY2007.

2006 Activity:

- Certificates of Appropriateness
  - Granted 36
  - Denied 6
  - Withdrawn 3
  - Deferred 1
  - Total 46
- Minor Works
  - Approved by staff 113
  - Approved by Committee 54
  - Total 167

Highlights

- Historic Preservation Incentive Grants
  - Repair deteriorated wood features, sand paint
  - Remove vinyl siding
  - Restore original wood shingle siding  
(Grant project is now underway in the Ellis Street Graded School District)
- Public Information Campaign
  - Newsletters
    - Mailed Summer & Winter
    - Promote grant program
    - Inform homeowners about appropriate methods and materials
    - Who to contact for more information
  - Access 16
  - Presentation to Association of Realtors August 1, 2006
    - Question and Answer about historic districts – Where are the boundaries? What do the guidelines require?
  - Efforts to inform new water service customers
    - Notices and contact information available at customer service counter
- 1<sup>st</sup> Annual Preservation Month Celebration
  - Downtown Scavenger Hunt
  - Open House to showcase recent revitalization projects
  - Ice cream social at the Bell Tower
- Efforts related to West Fisher Street Buildings
  - Organized special public hearings

- Promoted alternatives to demolition
- Collected archival photographs and plans

### 2007 Goals

- Apply for Historic Preservation Fund matching grant to expand National Register districts \$20,000 (local match required)
- Continue Historic Preservation Incentive Grant Program \$30,000
  - Priority to lower income applicants
- Continue efforts to increase public awareness
  - Newsletters
  - Access 16
  - Contact local realtors, closing attorneys, contractors
- Continue efforts to inform new residents about historic district guidelines
- Increase notification by posting properties prior to hearing
  - Hearing time, date and place
  - Small ground signs
- Provide easy-to-see notices to post on a window or door while work is in progress
  - To signify that work has approval of the HPC
  - To remind others that design review may be necessary before beginning exterior projects
- Continue support for new legislation for regulating demolition in the Downtown Historic District
- Renew temporary restrictions on demolition until a local bill is enacted
- Create a digital photographic archive of historic district properties
- Coordinate 2<sup>nd</sup> annual Preservation Month events May 2007
- Consider revisions to design guidelines concerning signs
  - Davis, California design guidelines as a model
- Revise the Certificate of Appropriateness application and develop checklists
  - Help simplify the process for property owners
- Take advantage of training and educational opportunities for commission members and staff

Mayor Klutz noted that the HPC had a very busy year and expressed Council's gratitude for their work.

### Parks and Recreation Advisory Board

Ms. Mercedes Harrington, Parks and Recreation Advisory Board, presented the Parks and Recreation Advisory Board Highlights for 2006 and Goals for 2007.

#### Goals 2006

- Centennial Park – Centennial Park construction and partnership with the Fulton Heights Neighborhood
- Greenway – Completed Brenner Avenue Greenway section (Phase 4)
- Renovations – Salisbury Civic Center received new chairs. City Park Recreation Center received window renovations
- New Projects – Received a \$30,000 North Carolina Trails Grant for installation of pedestrian bridge at the Salisbury Community Park lake
- Grant funding
  - Parks and Recreation Trust Fund (PARTF) Grant received for Phase I renovations of the Sports Complex
  - Salisbury Parks and Recreation received \$125,000 from the Robertson Foundation to match the PARTF grant for renovation of the Sports Complex
- Extensive use of Salisbury Community Park
  - Rowan Little League baseball
  - Rowan Youth Alliance Soccer
    - Youth Recreation League
    - Youth Challenge League
  - Hispanic Soccer League
  - Eight (8) softball tournaments
  - Salisbury High School's Tri-County Cross Country meet
  - North Carolina Cycle-cross first meet of the season
  - 5<sup>th</sup> Annual Fisher Derby

#### 2007 Goals – Priority Level 1

- Provide financial support of the five (5) year Parks and Recreation Capital Improvement Plan
- Replacement of City Park Tennis Courts \$225,000
- Renovation of the Sports Complex, Phase 1 match (\$45,000), Phase 2 (\$634,253)
- Provide annual allocation of funds for renovations of existing parks (no less than \$100,000)
- Provide funding for renovation and additions to the existing Civic Center \$1,500,000 for gym addition and \$200,000 to being park development

#### 2007 Goals – Priority Level 2

- Neighborhood park land acquisition, east of I-85 \$100,000
- Provide funding to recruit tournaments and events to our parks (implement into the operating budget)
- Design (\$25,000) and development of a Hall of Fame building at the Salisbury Community Park and Athletic Complex

2007 Goals – Support Goals

- Support continued design and development of the Salisbury Greenway
- Support neighborhood problem solving, through programs and park renovations in Jersey City and North Main Street areas
- Support the Land Development Ordinance for Recreation Open Space

Mayor Kluttz thanked Ms. Harrington and the entire Parks and Recreation Advisory Board for the work they do for the City.

**AWARD A CONTRACT TO RF SHINN, INC FOR INSTALLATION OF SEWER IMPROVEMENTS**

Mr. Jim Behmer, Utilities Engineering Manager, informed Council that on December 4, 2006 bids were received for the installation of sanitary sewer to serve those areas annexed effective July 1, 2005. Bids were received from:

RF Shinn	\$298,630.96
Bell Construction Co., Inc.	\$331,743.30
Foothills Water & Sewer, Inc.	\$377,391.00
Fuller Contracting Co., LLC	\$383,233.00

Mr. Behmer asked Council to consider awarding a contract in the amount of \$298,630.96 to RF Shinn, Inc.

Councilman Burgin noted that there was a math error in the bid from RF Shinn Contractors, Inc. and asked how the math error could be changed on a bid. Mr. Behmer responded that when the engineers certified the bid tabulation they found a math error, but RF Shinn, Inc. was still the lowest responsive bidder and the bids were not contested by the other contractors. Mr. Burgin questioned at what point a math error becomes changing a bid versus reflecting what the bid was and noted that it seems to be inequitable. Mr. Behmer stated that the error was made by the contractor in totaling up unit pricing and the amounts were hand written in the margins. When the amounts were totaled the contractor misread his own writing. He explained that when the engineer certifies the bids if there is a discrepancy all of the bidders are notified. Mr. Burgin clarified that it was not actually changing a number. Mr. Behmer stated that this is correct noting that the numbers were shown but the handwritten numbers were misread.

Thereupon, Mr. Kennedy made a **motion** to approve a contract in the amount \$298,630.96 to RF Shinn, Inc. for the installation of sewer improvements in the 2005 annexed areas. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

**AWARD A CONTRACT TO MARTIN STARNES & ASSOCIATES, CPAs, PA FOR AUDITING SERVICES FOR FISCAL YEAR 2007**

Mr. Wade Furches, Finance Manager, informed Council that in December 2004 staff initiated the process of receiving proposals to conduct the City’s annual audit. As a result of this process the City entered into a four (4) year agreement with Martin Starnes & Associates, CPAs, PA to perform the City’s annual audit. He stated that Martin Starnes has performed the last two (2) annual audits and year three (3) of the four (4) year contract will cover July 1, 2006 through June 30, 2007. Mr. Furches noted that the proposed contract is in the amount of \$28,600 which is an \$800 increase over last year, or just less than three (3) percent. He stated that staff feels this price is very good for a city of Salisbury’s size and recommends approval of the audit contract.

Thereupon, Mr. Woodson made a **motion** to approve a contract with the three (3) percent increase in the amount of \$28,600 to Martin Starnes and Associates, CPAs for auditing services for year 2007. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

**PRESENTATION FROM STAFF INTRODUCING PARKS AND RECREATION DEPARTMENT PROGRAM SERIES “DID YOU KNOW?”**

Ms. Gail Elder White, Parks and Recreation Director, introduced the Parks and Recreation Department series “Did You Know” to air on Access Channel 16. She stated that the series will provide information on various Park programs and will feature different areas of the Parks and Recreation Department each month. She explained that the series will begin with PowerPoint presentations, move to short video clips, and eventually to a thirty (30) minute video that will include information about the department.

Mr. Kenny Roberts, Recreation Program Manager, provided information regarding the Youth Basketball Program through the Parks and Recreation Department. He stated that youth basketball leagues play each year from October through April, and explained the different age groups that participate in the leagues. He added that during the basketball season two hundred fifty (250) games will be played; six hundred fifty (650) young boys and girls will participate; and one hundred thirty (130) volunteer coaches and team managers will contribute over two thousand two hundred (2,200) hours of volunteer service.

Ms. Elaney Hasselman, Marketing and Community Relations Manager, reviewed upcoming events to be held at the Civic Center. These include the 6<sup>th</sup> Annual Wedding Extravaganza January 27, 2007; the 11<sup>th</sup> Annual Father and Daughter Dance February 3, 2007; and a Craft Show to be held March 17 and 18, 2007.

Mayor Kluttz thanked the Parks and Recreation Department for the presentation and added that the City has a valuable resource in the Access Channel 16.

#### **COMMENTS FROM THE CITY MANAGER**

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(a) Planning Board

- Council received the Planning Board recommendations and comments from the January 9, 2007 meeting.

(b) Strategic Plan Review

- City Manager David Tremé presented Council with an update of the Goals and Outcomes for 2006-07. He also provided Gameplans that were developed for each of the Goals.

Mr. Tremé pointed out that there is no gameplan for Fiber To The Home Goal. He indicated that after meeting with Mr. Kennedy and Mr. Lewis to review figures regarding Fiber To The Home, they concluded that there is additional due diligence that needs to be performed. He noted that staff felt the cost estimates were not as detailed as they should be and is working to come up with more detailed estimates. He noted that staff also felt that a specialist was needed to research pole attachments and what impact it would have on the City and Duke Power.

Mr. Tremé indicated that once the due diligence and research has been completed, he, Mr. Kennedy and Mr. Lewis will meet to make a final determination and present their formal recommendations to City Council.

Mr. Tremé pointed out the progress of other goals and gameplans including the North Main Street Small Area plan; the Comprehensive Customer Service plan; the Business Incubator plan; the investigation of entrepreneurial loan pool and funding options; and to attract, recruit and retain employees from diverse populations.

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(c) Bicycle Contract

Mr. Preston Mitchell, Senior Planner, presented a request for City Council to authorize the Mayor or City Manager to execute an agreement between the City of Salisbury and Wilbur Smith, Associates, the consulting firm chosen to help develop the Comprehensive Bicycle Plan. Mr. Mitchell explained that in 2005 City Council authorized staff to seek a grant for the development of the Comprehensive Bicycle Plan. The City was awarded the grant in 2006 in the amount of \$45,500, and Mr. Mitchell noted that it requires a City match up to thirty (30) percent. He explained that with the City's matching funds of \$19,500, the total funds available for the development of the Comprehensive Plan are \$65,000.

Mr. Mitchell stated that Requests for Proposals were sent out to solicit proposals for preparation of the Comprehensive Plan and Wilbur Smith, Associates was the best choice. He presented Council with a copy of the agreement between the City of Salisbury and Wilbur Smith, Associates to develop the bicycle plan.

Thereupon, Mr. Woodson made a **motion** to authorize the Mayor or City Manager to execute an engineering agreement between the City of Salisbury and Wilbur Smith, Associates for the development of the Salisbury Comprehensive Bicycle Plan for a lump sum fee of \$64,510 whereas \$45,500 has been awarded by the North Carolina Department of Transportation in the form of a Bicycle and Pedestrian Planning Grant. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

#### **PUBLIC COMMENT**

- Mayor Kluttz opened the floor for public comment. There being no one to speak, Mayor Kluttz closed the public comment session.

#### **MAYOR'S ANNOUNCEMENTS**

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(a) Visiting Police Chief Ben Navarrete

Mayor Kluttz stated that when the Latino Initiative Team traveled to Mexico in September, 2006, they met with Police Chief Ben Navarrete from Dolores Hidalgo, Mexico, a city of one hundred thirty thousand (130,000) citizens, and invited him to visit Salisbury. Mr. Navarrete arrived in Salisbury Sunday, January 14, 2007 and will meet with six (6) different law enforcement agencies including the Salisbury Police Department, Rowan County Sheriff's Department, Kannapolis Police Department, Concord Police Department, Cabarrus County Sheriff's Department and Union County Sheriff's Department. She pointed out that he now works with the Secretary of State's office as an instructor at the police academy.

Mayor Kluttz expressed her gratitude to the University of North Carolina Center for International Understanding, who sponsored the Latino Initiative trip to Mexico through funding from the Z. Smith Reynolds Foundation and the Robertson Foundation.

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**CLOSED SESSION AS ALLOWED BY NCGS 143-318.11(6)**

Mayor Kluttz informed Council that she would entertain a motion for the Council to go into closed session concerning a personnel matter as allowed by NCGS 143-318.11(6).

Thereupon, Mr. Woodson made a **motion** for Council to go into closed session as allowed by NCGS 143-318.11(6). Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

### **RETURN TO OPEN SESSION**

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

Mr. Burgin reported on an evaluation of the City Manager and stated that Council's evaluation is unanimous that the City has an excellent City Manager who is doing an outstanding job and is leading the City in the way that reflects well on Council.

Thereupon, Mr. Burgin made a **motion** to increase the City Manager's salary based on the merit increase standard of excellence at four (4) percent. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE (5-0)

Mayor Pro Tem Paul Woodson commented that Mr. Treme keeps Council well informed and Council is happy with the City's operation, adding that he feels the City has a bright future.

Mayor Kluttz stated that Mr. Treme has assembled an excellent team and promotes the team effort, not only with staff but also with Council. She added that she feels Salisbury is an outstanding City and she is proud of what Mr. Treme has accomplished.

Councilman Lewis commented that he is sure there is not an organization in existence that would not benefit from having Mr. Treme work there and he feels the Council is very fortunate to have him here.

### **ADJOURNMENT**

**Motion** to adjourn the meeting was made by Mr. Woodson, seconded by Mr. Burgin. All council members agreed unanimously to adjourn. The meeting was adjourned at 5:57 p.m.

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Mayor

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City Clerk