

Salisbury, North Carolina
March 20, 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; Interim City Manager Doug Paris; City Clerk Myra B. Heard; and City Attorney F. Rivers Lawther, Jr.

ABSENT: None

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

RECOGNITION OF VISITORS

Mayor Woodson welcomed all visitors present. He thanked everyone who attended the reception for City Manager Doug Paris held prior to the meeting.

OATH OF OFFICE – CITY MANAGER DOUGLAS T. PARIS, JR.

Mayor Woodson administered the Oath of Office to Mr. Doug Paris, officially swearing him in as City Manager for the City of Salisbury, as Mr. Paris' wife Melissa held the Bible.

Mayor Woodson stated Council is very proud of Mr. Paris and looks forward to working with him as City Manager. He thanked him for all he is doing for the City.

RECOGNITION – SALISBURY HIGH SCHOOL STUDENT WILLIAM BROWN

Mayor Woodson recognized Salisbury High School Student William Brown for winning the North Carolina 1A/2A/3A Championship in the high jump event for indoor track. He read a Proclamation proclaiming March 20, 2012 as William Brown Day and presented a framed copy of the Proclamation to Mr. Brown. He congratulated Mr. Brown, and Salisbury High School Principal Dr. Windsor Eagle, for the accomplishments of Salisbury High School.

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Special Meeting of March 2, 2012, the Recessed Meeting of March 5, 2012, the Special Meeting of March 5, 2012, the Special Meeting of March 6, 2012 and the Regular Meeting of March 6, 2012.

Mayor Pro Tem Kluttz noted the following change to the Minutes of the Special Meeting of March 5, 2012. She stated page two of the Minutes states, “She stated cities who are the most business friendly will receive State incentives,” and she indicated it should state, “She stated Speaker Tillis hopes to initiate a program that would give cities who are the most business friendly State incentives.” Ms. Kluttz explained the incentives are not yet in place, and she noted if the plans come to fruition, the City would like to be first in line for the incentives.

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

SPECIAL COMMUNITY EFFORTS GROUPS

Mayor Woodson opened the floor to receive presentations from special community efforts groups.

Ms. Kaye Brown Hirst, Executive Director of Rowan Museum, and Mr. Dick Huffman, President of Rowan Museum, addressed Council regarding the work of the Rowan Museum. Ms. Hirst presented photographs of museum sponsored activities that took place throughout the year. She stated education is a top priority of the Museum, and she noted over 6,000 students tour the Museum annually. Ms. Hirst explained the Rowan Museum is open seven days a week, and hosts special events at each of its three sites in an effort to bring history to life.

Mr. Huffman stated the Rowan Museum operates on a tight budget while preserving the history of Rowan County and the City of Salisbury. He requested the City’s continued support of Rowan Museum.

Mayor Woodson thanked Ms. Hirst and Mr. Huffman for their presentation and all the Museum does to preserve local history.

There being no one else to address Council, Mayor Woodson closed the floor for comment.

BUDGET ORDINANCE AMENDMENT – SALISBURY FIRE DEPARTMENT

Assistant City Manager John Sofley and Battalion Chief David Morris addressed Council regarding the reimbursement of personnel and equipment expenses from Hyde County.

Mr. Morris explained on August 27, 2011 Hurricane Irene made landfall on the coast of North Carolina. He stated on August 28, 2011 a request was made by the North Carolina State Warning Point for approximately two dozen fire engines from across North Carolina to provide fire protection and assistance. He noted the Salisbury Fire Department responded with an engine company and two crews that spent nearly a week in Hyde County.

Mr. Morris stated the crews consisted of Captain Darrell Nichols, Captain James Farley, Captain Cory Orbison, Firefighter Dustin Tanner, and himself. He noted the second crew consisted of Captain Michael Spry, Firefighter Mike Baker, Firefighter Gray Grubb, and Firefighter Ted Reaume. Mr. Morris reviewed the Fire Department's response to Hurricane Irene and displayed pictures of the flood and tornado damage. He explained the crews removed trees from homes, placed tarps on damaged roofs, provided meals to local residents, and assessed damage for the Federal Emergency Management Agency (FEMA). He indicated the crews were honored to assist and serve the residents of Hyde County. Mr. Morris noted the personnel and equipment expense for the Fire Department's assistance was covered by FEMA, and was done at no expense to the City of Salisbury.

Mr. Sofley explained the expenditures for the assistance were FEMA reimbursable, and the City received a check in the amount of \$18,884. He requested Council appropriate the receipt of the funds as a reimbursable expense incurred by the Fire Department.

Thereupon, Mr. Miller made a **motion** to adopt an Ordinance amending the 2011-2012 Budget Ordinance of the City of Salisbury, North Carolina to appropriate reimbursement of Fire Department expenses. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Blackwell and Klutz voted AYE. (5-0)

ORDINANCE AMENDING THE 2011-2012 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE REIMBURSEMENT OF FIRE DEPARTMENT EXPENSES.

(The above Ordinance is recorded in full in Ordinance Book No. 23 at Page No. 10, and is known as Ordinance 2012-09.)

Councilmember Miller thanked the Fire Department for its work in Hyde County.

Mayor Woodson, on behalf of Council, also thanked the Fire Department and noted a time may come when the City of Salisbury might need similar assistance.

FY2012-2013 BUDGET – CDBG AND HOME PROGRAM FUNDS

Senior Planner Janet Gapen presented the FY 2012-2013 Budget for the Community Development Block Grant (CDBG) and HOME funds. She reviewed the 2012-2013 Budget:

CDBG	\$253,956.00
HOME	\$92,587.00
Program Income	<u>\$35,000.00</u>
Total	\$381,543.00

Ms. Gapen noted the United States Department of Housing and Urban Development (HUD) is the source of the funds. She explained the Program Income is derived from the sale of properties and the repayment of loans, and she noted the money is recycled back into the program for future projects. She emphasized the funds are to be utilized in a manner consistent with the City’s Five-Year plan, and she reviewed the Consolidated Plan priorities:

<u>Category</u>	<u>Priority Level</u>	<u>Geographic Distribution</u>
Housing	High	Revitalization Areas primary
Infrastructure and Public Facilities	High	Revitalization Areas
Public Services	High	Citywide
Homeless and Special Needs	Medium	Citywide
Other Neighborhood Revitalization	Medium	Revitalization Areas

Ms. Gapen explained the funds will be focused on housing and public services in the areas identified in the Five-Year plan as high priorities, and she noted the designated revitalization areas:

- Jersey City
- West End
- East End
- Park Avenue

Ms. Gapen explained the City, in partnership with the Salisbury Housing Authority and other agencies, is working with the West End Neighborhood to create the West End Transformation Plan. She noted staff is preparing an application for the Choice Neighborhood Implementation Grant that is due April 2012. She pointed out the rating criteria for the grant includes an investment of the City’s CDBG funds.

Ms. Gapen noted if the City makes a commitment to invest \$500,000 over a five-year period toward the West End Transformation Plan, additional points will be give to its application. She indicated the West End is an area of intense focus for the City, and the City is

currently investing approximately \$100,000 per year in the area. She explained a draft letter of commitment has been prepared indicating the City plans to continue investing in the West End Transformation Plan's eligible CDBG activities over a five-year period at the current level. She added the commitment is contingent upon receipt of the Choice Neighborhood Grant and future CDBG funding at the existing rate. She noted if the CDBG funding is reduced, the City's commitment to the West End Transformation Plan could be reduced proportionally.

Ms. Gapen reviewed the distribution of CDBG funds and projected activities:

West End Transformation Plan		\$100,000.00
Acquisition/Rehab	\$60,000.00	
Owner-occupied Rehabilitation	\$30,000.00	
Emergency Rehabilitation	\$10,000	
Other Housing Activities		\$38,842.80
Owner-Occupied Rehabilitation	\$28,842.80	
Emergency Rehabilitation	\$10,000.00	
Public Services: (15% cap)		\$43,330.00
Rowan Helping Ministries	\$17,950.00	
Family Crisis Council	\$11,140.00	
Community Care Clinic	\$7,890.00	
Salisbury Youth Employment	\$5,170.00	
Salisbury Housing Authority Family Self-Sufficient	\$1,180.00	
Program Administration (20% Cap)		\$57,790.00
Fair Housing Activities (\$800 set-aside)		
Debt Service-Park Avenue Center		\$48,993.20
Total CDBG Funds		<u>\$288,956.00</u>

Ms. Gapen reviewed HOME Investment Partnership Program

Housing Activities		\$ 87,346
Vacant/Foreclosure Acquisition		
Rehabilitation or New Construction	\$57,346	
Down Payment Assistance	\$30,000	
Program Administration		<u>\$5,241</u>
Total HOME Funds		\$92,587
Total CDBG & HOME Funds		\$381,543

Ms. Gapen reviewed the key points in the 2012 Schedule:

February 13, 2012	Information Session – West End
February 21, 2012	City Council – Public Hearing
March 20, 2012	City Council – Budget reading
April 1, 2012	30-day public review & comment
May 4, 2012	For HUD review

Councilmember Kennedy stated investing \$100,000 per year for the next five years in the West End Transformation Plan is important and Council should support it.

Thereupon, Mr. Kennedy made a **motion** to approve the FY2012-2013 budget for CDBG and HOME program funds. Ms. Kluttz seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

Thereupon, Mr. Kennedy made a **motion** to authorize the City Manager to execute a letter of commitment of \$500,000 in CDBG funds over a five-year period for the West End Transformation Plan, contingent upon future CDBG funding. Ms. Kluttz seconded the motion.

Councilmember Miller asked if the letter of commitment is a guideline or if it is binding. He asked if the current Council could bind future Councils regarding budgetary items. Ms. Gapen stated the letter of commitment is expected to be a firm commitment, provided the City receives CDBG funding at the current level.

Councilmember Blackwell pointed out Council took a similar action last year regarding a commitment for future monies to be used for Veteran housing.

City Manager Doug Paris indicated if a future Council decides not to fund the \$100,000 for the West End Transformation Plan, the City would not receive the same benefit for its grant application. He noted future Councils have the option of changing the current path.

Councilmember Kennedy stated the City's commitment of \$100,000 for five years could generate millions of dollars from the Federal government to renovate the West End area. He stated this renovation could generate jobs for the City of Salisbury. Mayor Pro Tem Kluttz stated it is critical that Council pass this item.

Mayor Woodson called for the vote. Messrs. Kennedy, Miller, and Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

SECOND READING - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR TAXI OWNERS

Police Chief Rory Collins addressed Council regarding a second reading of a Certificate of Public Convenience and Necessity for Taxi Owners for Mr. Dawud Ziyad, doing business as Safety Taxi, Incorporated. He noted Mr. Ziyad's request is to obtain ownership of a taxi operating under the umbrella of Safety Taxi, Inc. Chief Collins indicated the first reading for

this request was held March 6, 2012, and pursuant to the City's Ordinances a second reading is required.

Chief Collins stated the Police Department conducted an investigation and concluded Mr. Ziyad's vehicle is fully operational and meets the requirements to be used safely as a Taxi vehicle. He stated Mr. Ziyad's financial standing is also sound. He noted Mr. Ziyad has several years experience operating a taxi, and the intended rates are within normal parameters for Safety Taxi. He indicated Safety Taxi has been a positive entity for the City and based on its standards and expectations for operators, the Police Department is comfortable with issuance of the certificate to Mr. Ziyad.

Mayor Woodson thanked Chief Collins for the report.

Thereupon, Mr. Kennedy made a **motion** to approve the second reading for a Certificate of Public Convenience and Necessity for Taxi Owners for Dawud Ziyad, DBA as Safety Taxi, Incorporated. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

SALISBURY TOURISM AND CULTURAL DEVELOPMENT

Community Planning Services Director Joe Morris addressed Council regarding the Salisbury Tourism and Cultural Development Commission (STCDC). He noted the STCDC has been in place for two years and works in conjunction with Rowan County Convention and Visitors Bureau and the Rowan Tourism Development Authority (TDA) to promote tourism in the community. He explained the Board was appointed two years ago, and the terms are scheduled to expire March 31 of the appropriate term of appointment. He noted staff recommends changing the terms of membership in the City Code to expire June 30 of the appropriate term of appointment.

Thereupon, Ms. Kluttz made a **motion** to adopt an Ordinance amending Appendix D, Part 5, Section 1.05 of the Code of the City of Salisbury relating to Boards, Committees, and Commissions. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

ORDINANCE AMENDING APPENDIX D, PART 5, SECTION 1.05 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO BOARDS, COMMITTEES AND COMMISSIONS.

(The above Ordinance is recorded in full in Ordinance Book No. 23 at Page No. 11, and is known as Ordinance 2012-10.)

Mr. Morris explained members of the STCDC were appointed for an initial two-year term, and the terms were not staggered. He indicated the STCDC is recommending the creation of two classes within the current authority, and he noted the current commission members are willing to be reappointed if Council deems necessary. He stated the first class would have a term expiration of June 30, 2013 and would include Mr. Bill Burgin, Mr. Boris Bunich, Mr. Randy

Hemann, and Ms. Michelle Patterson. He stated the second class would have a term expiration of June 30, 2014 and would include Mr. Mark Lewis, Ms. Krista Osterweil, Mr. David Redden, and Ms. Barbara Perry.

Thereupon, Ms. Blackwell made a **motion** to appoint Bill Burgin, Boris Bunich, Randy Hemann, and Michelle Patterson, for terms ending June 30, 2013, and Mark Lewis, Krista Osterweil, David Redden and Barbara Perry for terms ending June 30, 2014 on the Salisbury Tourism and Cultural Development Commission. Ms. Kluttz seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

Mr. Morris stated the Chair and Vice-Chair are appointed by the City Council. He noted the STCDC is recommending the appointment of Mr. Bill Burgin as Chair and Ms. Barbara Perry as Vice-Chair.

Thereupon, Mr. Miller made a **motion** to appoint Mr. Bill Burgin as Chair and Ms. Barbara Perry as Vice-Chair for the upcoming term of the Salisbury Tourism and Cultural Development Commission. Ms. Kluttz seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

BOARDS AND COMMISSIONS

Community Appearance Commission

Upon a motion by Ms. Kluttz, seconded by Ms. Blackwell, and with Messrs. Kennedy, Miller and Woodson and Meses. Blackwell and Kluttz voting AYE, the following reappointments were made to the Community Appearance Commission.

Ms. Suzanne Casey	Term Expires 3/31/15
Mr. Jonathan Cerny	Term Expires 3/31/15
Ms. Susan McHugh	Term Expires 3/31/15

Upon a motion by Ms. Kluttz, seconded by Mr. Kennedy, and with Messrs. Kennedy, Miller and Woodson and Meses. Blackwell and Kluttz voting AYE, the following appointment was made to the Community Appearance Commission.

Mr. Karl Sale	Term Expires 3/31/15
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Upon a motion by Ms. Blackwell, seconded by Mr. Miller, and with Messrs. Kennedy, Miller and Woodson and Meses. Blackwell and Kluttz voting AYE, the following appointment was made to fill an unexpired term on the Community Appearance Commission

Mr. Nassar Farid Mufdi Ruiz	Term Expires 3/31/14
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Greenway Committee

Upon a motion by Ms. Kluttz, seconded by Mr. Kennedy, and with Messrs. Kennedy, Miller and Woodson and Mses. Blackwell and Kluttz voting AYE, the following reappointments were made to the Greenway Committee.

Mr. Darrell Blackwelder	Term Expires 3/31/15
Mr. Richard Franklin	Term Expires 3/31/15
Ms. Lisa Wear	Term Expires 3/31/15

Historic Preservation Commission

Upon a motion by Ms. Kluttz, seconded by Ms. Blackwell, and with Messrs. Kennedy, Miller and Woodson and Mses. Blackwell and Kluttz voting AYE, the following reappointments were made to the Historic Preservation Commission.

Ms. Emily Perry	Term Expires 3/31/15
Mr. Andrew Pitner	Term Expires 3/31/15

Upon a motion by Ms. Kluttz, seconded by Ms. Blackwell, and with Messrs. Kennedy, Miller and Woodson and Mses. Blackwell and Kluttz voting AYE, the following appointment was made to the Historic Preservation Commission.

Ms. Lisa Cartner	Term Expires 3/31/15
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Human Relations Council

Upon a motion by Mr. Kennedy, seconded by Ms. Blackwell, and with Messrs. Kennedy, Miller and Woodson and Mses. Blackwell and Kluttz voting AYE, the following appointment was made to the Human Relations Council.

Ms. Almond Miller	Term Expires 3/31/15
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PUBLIC COMMENTS

Mayor Woodson opened the floor for public comment.

Mr. William Peoples, 522 North Fulton Street, addressed Council regarding the new Social Security Administration Office located on Jake Alexander Boulevard. He noted the bus-stop is across the street, and older people riding the bus are required to cross Jake Alexander Boulevard. He requested Salisbury Transit consider a bus-stop on the same side of the street as the Social Security Administration Office.

Mayor Woodson asked City Manager Doug Paris to address Mr. Peoples' concern. Mr. Paris stated he will ask Public Services Director Tony Cinquemani to look into this and report back to Council and Mr. Peoples. He stated as business locations change, bus-stops must be occasionally reviewed.

There being no one else to speak, Mayor Woodson closed the public comment session.

CITY MANAGER'S COMMENTS

(a) 2012-2013 Council's Outcomes and Goals

City Manager Doug Paris noted at its February Retreat, Council challenged staff to consolidate and reorganize its goals. He presented Council with a draft of the 2012-2013 Outcomes and Goals to review, and asked Council to provide feedback to staff. He stated he is excited about the changes and thinks the Outcomes and Goals are close to what Council requested.

(b) Protected-Secondary Connection

City Manager Doug Paris noted staff is reviewing and finalizing the equipment necessary for a secondary feed for the City's Broadband Utility. He noted when the information is complete, he will speak with Mayor Woodson regarding bringing it back before Council.

(c) State Funding for the North Carolina Transportation Museum

City Manager Doug Paris noted staff received a request from the Town of Spencer regarding support of a Resolution requesting the reinstatement of State funding for the North Carolina Transportation Museum. He explained the North Carolina Transportation Museum created \$8.6 million in annual economic development for the Town of Spencer and the City of Salisbury.

Councilmember Blackwell stated as a sign of friendship, and in an effort to be a good neighbor to the Town of Spencer, Council should support the Resolution.

Thereupon, Ms. Blackwell made a **motion** to adopt a Resolution in favor of the reinstatement of State funding to the NC Transportation Museum. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

Mayor Woodson agreed with Councilmember Blackwell, and he stated Council wants to do all it can to help the Town of Spencer.

(d) Political Signs

Councilmember Kennedy stated he received a call regarding political signs that have been erected within the City limits. He stated the caller noted political signs are not allowed until 30 days prior to an election. He asked City Manager Doug Paris if any Ordinances were being violated.

Community Planning Services Director Joe Morris noted a recent change to State law regarding political signs. He stated it usurped local authority along State rights-of-way. He explained the General Assembly has decided political signs are no longer within the authority of the Salisbury Sign Ordinance. Councilmember Kennedy asked Mr. Morris to make citizens aware that political signs are allowed on State maintained rights-of-way.

Mr. Morris stated the City does not have control if the signs are on private property. He noted if the signs are improperly placed, a complaint may be filed with the North Carolina Department of Transportation (NCDOT).

Councilmember Kennedy asked staff to provide the current information to Council so it can inform citizens of the changes.

MAYOR'S ANNOUNCEMENTS

(a) Photography Expo

Mayor Woodson announced the First Annual Photography Expo will be held Thursday and Friday, March 22 and March 23, 2012, at the Civic Center, 315 Martin Luther King Jr. Avenue. For more information contact the Civic Center at (704) 638-5275.

(b) Spring Craft Show

Mayor Woodson announced the Second Annual Spring Craft Show will be held Saturday, March 31, 2012 from 9:00 a.m. until 3:00 p.m. at the Civic Center, 315 Martin Luther King, Jr. Avenue. The event is free and open to the public.

(c) Boards and Commissions

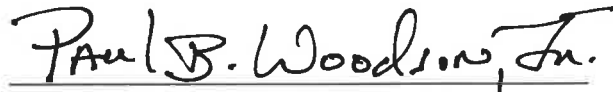
Mayor Woodson announced the City of Salisbury is seeking citizens who have an interest in serving on one of the City's Boards and Commissions. Information regarding the Boards and Commissions and applications are available online at www.salisburync.gov under the Boards and Commissions tab. Applications are also available at the City Clerk's Office located at 217 South Main Street, or by calling 704-638-5224.

(d) Salisbury Post Article on Former Mayor Kluttz

Mayor Woodson announced Sunday's article in the Salisbury Post was a great tribute to former Mayor Susan Kluttz. He stated it was a great article and the Salisbury Post did a wonderful job. He congratulated Mayor Pro Tem Kluttz and noted the article was well deserved.

ADJOURNMENT

Motion to adjourn the meeting was made by Ms. Kluttz, seconded by Mr. Miller. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 4:47 p.m.


Paul B. Woodson, Jr., Mayor


Myra B. Heard, City Clerk