

RECESSED MEETING OF APRIL 17, 2007

Continued
April 20, 2007
10:00 a.m.

The City Council of the City of Salisbury met at 10:00 a.m. Friday, April 20, 2007 in Council Chambers at City Hall pursuant to the recess of the regular meeting of April 17, 2007, with the following members being present and absent:

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 10:00 a.m. The invocation was given by Mayor Pro Tem Paul Woodson.

ANNEXATION ORDINANCES FOR AREA 1- CAMP ROAD; AREA 2 - HARRISON ROAD; AREA 3 - HAWKINSTOWN ROAD; AND AREA 4 - OLD MOCKSVILLE ROAD

Mr. Bill Duston, Planning Director with Centralina Council of Governments (COG), reviewed amended annexation reports with Council for each proposed annexation area. He also presented Annexation Ordinances for each area and noted that the Ordinances reflected the amendments to the Annexation Reports. The effective date of annexation will be June 30, 2007.

AREA 1 – CAMP ROAD

The amended Annexation Report for Area 1 – Camp Road, including the qualifications for annexation and the estimated revenues and cost to provide services, was reviewed with Council.

Thereupon, Mr. Burgin made a **motion** to adopt the City of Salisbury amended Annexation Report for Area 1 – Camp Road. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

(THE AMENDED ANNEXATION REPORT IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

Thereupon, Mr. Burgin made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, under authority granted by Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina for Area 1 – Camp Road to be effective June 30, 2007. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, UNDER THE AUTHORITY GRANTED BY CHAPTER 160A, ARTICLE 4A, PART 3 OF THE GENERAL STATUTES OF NORTH CAROLINA

(The above Ordinance is recorded in full in Ordinance Book No. 21, at Page Nos. 36-56, and is known as Ordinance No. 2007-12.)

AMENDED REPORT AREA 3 – HAWKINSTOWN ROAD

The amended Annexation Report for Area 3 – Cedar Springs Road, including the qualifications for annexation and the estimated revenues and cost to provide services, was reviewed with Council.

Councilman Burgin asked if the start-up costs will come from the General Fund. Mr. John Sofley, Management Services Director, responded that most of the costs come from the General Fund, but not all.

Councilman Lewis commented that the City will add fifteen (15) lots, three (3) of which are undeveloped, but will pay \$505,000 to extend water and sewer to the area. Mr. Burgin asked if there is another value that the City will gain. Mr. Sofley explained that the City completely surrounds this area and essentially already provides services to the citizens. He added that the reason it has not yet been added is the cost of water and sewer. City Manager David Treme stated that financially this particular area may not make business sense but looking at the annexation areas as a whole they will break even. He added that this area will enable the City to grow in the future and will be a strategic move for growth.

Mr. Burgin stated that this particular area is surrounded by the City and it appears to him that it should be included in the annexation. He commented that even if the revenues do not add up, they are in effect a part of the City and he feels this is the right thing to do.

Thereupon, Mr. Burgin made a **motion** to adopt the City of Salisbury amended Annexation Report for Area 3 – Hawkinstown Road. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

(THE AMENDED ANNEXATION REPORT IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

Thereupon, Mr. Burgin made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, under authority granted by Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina for Area 3 – Hawkinstown Road to be effective June 30, 2007. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0).

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, UNDER THE AUTHORITY GRANTED BY CHAPTER 160A, ARTICLE 4A, PART 3 OF THE GENERAL STATUTES OF NORTH CAROLINA

(The above Ordinance is recorded in full in Ordinance Book No. 21, at Page Nos. 78-92, and is known as Ordinance No. 2007-14.)

AMENDED REPORT AREA 4 – OLD MOCKSVILLE ROAD

The amended Annexation Report for Area 4 – Old Mocksville Road, including the qualifications for annexation and the estimated revenues and cost to provide services, was reviewed with Council.

Mr. Lewis questioned why the sewer extensions stop half way through the proposed annexation area. Mr. Sofley responded that the sewer stops at this point because this is the furthest point that a resident specifically requested service. Mr. Lewis asked if sewer does not have to be provided if it is not requested. Mr. Sofley responded that this is correct. Mr. Lewis noted that if a developer should develop property in the area they will be responsible for running the line. Mr. Sofley responded that this is correct.

Thereupon, Mr. Kennedy made a **motion** to adopt the City of Salisbury amended Annexation Report for Area 4 – Old Mocksville Road. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

(THE AMENDED ANNEXATION REPORT IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

Thereupon, Mr. Kennedy made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, under authority granted by Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina for Area 4 – Old Mocksville Road to be effective June 30, 2007. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, UNDER THE AUTHORITY GRANTED BY CHAPTER 160A, ARTICLE 4A, PART 3 OF THE GENERAL STATUTES OF NORTH CAROLINA

(The above Ordinance is recorded in full in Ordinance Book No. 21, at Page Nos. 93-111, and is known as Ordinance No. 2007-15.)

AMENDED REPORT AREA 2 – HARRISON ROAD

The amended Annexation Report for Area 2 – Harrison Road, including the qualifications for annexation and the estimated revenues and cost to provide services, was reviewed with Council.

Mr. Woodson asked how many residents have requested water and sewer service in the Harrison Road area. Mr. Sofley responded that approximately fourteen (14) residents have specifically requested water and sewer service but staff estimates approximately forty (40) lots will connect once the lines are installed.

Mr. Woodson asked if the City will break even on the debt service for the cost of the water and sewer extension. Mr. Sofley responded that the General Fund will act as the developer for the project and will contribute sufficient funds to make the Utility fund break even. He added that there will be no impact to the rate payers for any of the annexation areas.

Mr. Lewis asked if staff based the revenue figures from the current tax rate using the new property valuations. Mr. Sofley responded that the figures did not use the new valuations but were done before the revaluation, adding that the new valuations are not known at this time.

Mr. Lewis asked if the City will have to run lines if a resident requests service in six (6) months. Mr. Sofley responded that the City will not have to run lines if they are requested at that time.

Mr. Woodson questioned how the lines will be taken to the Highway 150 area and asked if they will be run down Sherrill's Ford Road. Mr. Jeff Jones, Utility Engineer, responded that there is a water line in place along a portion of Highway 150. He stated that the challenge for this area is sewer, which must follow the topography. He reviewed a map of the Draft Branch creek and basin. Mr. Jones stated that a key component of the Harrison Road annexation is it will provide an additional leg to move the City closer to serving the Highway 150 area.

Mr. Burgin questioned how many years the debt service payment will be set up. Mr. Sofley responded that it will be over a twenty-five (25) year period but is subject to change once the debt is issued.

Mr. Sofley stated that staff will bring budget amendments back to Council to set up these costs and revenues since none have been budgeted for

the upcoming year.

Mayor Kluttz commented that she feels if Council is to follow its growth plan this annexation area is necessary.

Mr. Woodson stated that this has been a tough decision but he realizes staff's wisdom and he will support this because of the wisdom of staff. He added that he is hopeful that there will be no major costs in the future from unknown problems. He stated he does not want water and sewer rates to rise because of this annexation.

Mr. Burgin commented that as he sees the figures the annexation should have no impact on the water and sewer rates and he feels the need to address future growth needs is evident.

Thereupon, Mr. Burgin made a **motion** to adopt the City of Salisbury amended Annexation Report for Area 2 – Harrison Road. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

(THE AMENDED ANNEXATION REPORT IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

Thereupon, Mr. Burgin made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, under authority granted by Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina for Area 2 – Harrison Road to be effective June 30, 2007. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, UNDER THE AUTHORITY GRANTED BY CHAPTER 160A, ARTICLE 4A, PART 3 OF THE GENERAL STATUTES OF NORTH CAROLINA

(The above Ordinance is recorded in full in Ordinance Book No. 21, at Page Nos. 57-77, and is known as Ordinance No. 2007-13.)

APPOINTMENT TO THE COMPREHENSIVE BICYCLE PLAN STEERING COMMITTEE

Councilman Kennedy noted that he has received an additional name for the Comprehensive Bicycle Plan Steering Committee.

Thereupon, Mr. Kennedy made a **motion** to nominate Sara Phillips to the Comprehensive Bicycle Plan Steering Committee. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Woodson, and Ms. Kluttz voted AYE. (5-0)

OTHER MATTERS

(a) Hendrix Barbecue Access to Ashbrook Drive

Councilman Lewis noted a concern regarding Hendrix Barbecue and the access drive that has been installed to Ashbrook Drive that should not be in place.

Councilman Burgin commented that he visited the site and it is a prepared driveway and not just a cut-through path. Mr. Lewis asked staff to report back to Council regarding this matter.

(b) Henderson Street

Councilman Lewis indicated he has received calls from residents on Henderson Street and has referred those calls to Mr. Dan Mikkelson. He asked Mr. Mikkelson to report back on the calls.

(c) Fulton Heights – Wiley Avenue and Heilig Avenue

Councilman Lewis stated that the Fulton Heights Neighborhood Association has asked that Heilig Avenue and Wiley Avenue be reevaluated because the residents feel the four (4) way stops on the other streets in Fulton Heights has shifted traffic to these streets. He asked staff to present a report on this at a future Council meeting.

(d) Fulton Heights – Clear Cutting

Mayor Pro Tem Woodson noted that he and Mr. Burgin also met with citizens in the Fulton Heights neighborhood regarding clear cutting on a lot and explained that the City does not have rights to stop clear cutting.

(d) Request for Streetlights

Mayor Pro Tem Woodson stated that he has received many calls from citizens who want streetlights and indicated this will need to be addressed.

(e) Transportation to Salisbury Community Park

Mayor Pro Tem Woodson commented that the issue of the lack of transportation for youth to the Community Park has been brought to his attention again. He asked Council to review this issue.

COMMENTS FROM CITY MANAGER

(a) Concord Customer Service Visit

City Manager David Treme noted that the City of Concord is visiting today to review the City's Customer Service Initiative. He stated that the City of Lenoir has also requested a presentation.

(b) American Leadership Forum

City Manager David Treme stated that the City hosted the American Leadership Forum meeting April 19, 2007. Mayor Kluttz noted that this Forum is composed of a fourteen (14) county region and Councilman Lewis is spending a year as the City's representative this year.

Councilman Lewis commented that the American Leadership Forum participants were very impressed with the Salisbury community and how they were treated during their visit. He thanked the Administrative staff who had prepared for the day and stated that the participants commented that the City staff provided the best customer service.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Woodson, seconded by Mr. Lewis. All council members agreed unanimously to adjourn. The meeting was adjourned at 10:54 a.m.

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Mayor

City Clerk

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