

Salisbury, North Carolina  
August 5, 2014

## **REGULAR MEETING**

**PRESENT:** Mayor Paul B. Woodson, Jr., Presiding; Mayor Pro Tem Maggie A. Blackwell, Council Members Karen Kirks Alexander, William (Pete) Kennedy, and William Brian Miller; Interim City Manager John Sofley; 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 Kennedy.

## **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.

## **SUMMER YOUTH EMPLOYMENT PROGRAM**

Human Resources Planner Michelle Nguyen and Human Resources Analyst Milena Sifuentes addressed Council regarding the Summer Youth Employment Program. Ms. Nguyen explained this is the fifth year of the program. She noted the City received 40 applications and selected nine students to work for six weeks. She stated the Summer Youth Employment Program is funded through a Community Development Block Grant and addresses Council's goal to mentor local youth. She thanked family members and department supervisors who worked to make the program a success.

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

Ms. NyAsia Harris – Parks and Recreation  
Ms. Luliana Guerrero Delgado – Parks and Recreation  
Ms. Rosalina Blakeney – Public Information  
Ms. Sierra Charles – Customer Service/Fibrant  
Mr. Ronnie Rollings - Finance  
Mr. Dante Gaston – Telecommunications  
Ms. Sarah Tran – Human Resources/Administration  
Ms. Diamond Wooden- Transit  
Ms. Deasha Jones – Planning/Code Enforcement

Ms. Sierra Charles shared her experience in the Summer Youth Employment Program. She thanked Council for supporting the program which gave her an opportunity to work in the City's Fibrant and Customer Service Departments.

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

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

## **PROCLAMATION**

Mayor Woodson proclaimed the following observances:

NATIONAL NIGHT OUT  
ROWAN-SALISBURY HELP FAIR DAY

August 5, 2014  
August 16, 2014

## CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of July 15, 2014.

(b) Street Closure – Kentucky and Hillsboro Streets

Receive a petition to close a portion of Kentucky and Hillsboro Streets and adopt a Resolution setting a public hearing for September 2, 2014.

RESOLUTION PERTAINING TO THE PROPOSED CLOSING OF PORTIONS OF KENTUCKY STREET AND HILLSBORO STREET, AND SETTING A PUBLIC HEARING FOR SEPTEMBER 2, 2014.

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 17, and is known as Resolution 2014-15)

(c) Alley Closure – West Cemetery Street

Receive a petition to close an alley in the 100 block of West Cemetery Street and adopt a Resolution setting a public hearing for September 2, 2014.

RESOLUTION PERTAINING TO THE CLOSING OF AN ALLEY IN THE 100 BLOCK OF WEST CEMETERY STREET, AND SETTING A PUBLIC HEARING FOR SEPTEMBER 2, 2014.

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 18, and is known as Resolution 2014-16)

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

## VOLUNTARY ANNEXATION – 25 ACRES JULIAN ROAD

City Engineer Wendy Brindle addressed Council regarding the voluntary annexation of the Rowan County Fairgrounds located on 25 acres on Julian Road. She displayed aerial photographs of the area.

Ms. Brindle explained this is the third meeting in which the request for voluntary annexation has been brought before Council. She indicated at the first meeting Council received the petition and asked City Clerk Myra Heard to investigate the sufficiency.

Ms. Brindle pointed out the petitioner requested the annexation be retroactive to June 30, 2014. She added staff has confirmed the request with City Attorney Rivers Lawther and the Rowan County Tax Office. She stated at the second meeting staff reported on the sufficiency of the request and verified:

- The nearest point on the proposed satellite is not more than three miles from the primary corporate limits of Salisbury
- No point on the proposed satellite is closer to the primary corporate limits of another city than to the primary corporate limits of Salisbury
- The area is situated such that Salisbury will be able to provide the same services within the proposed satellite corporate limits as are provided within the primary corporate limits
- No subdivision, as defined in General Statutes 160A-376, will be fragmented by this proposed annexation

Ms. Brindle noted if Council wishes to proceed a public hearing must be conducted and Council must consider adopting an Ordinance annexing 25 acres on Julian Road effective June 30, 2014.

(b) Mayor Woodson convened a public hearing, after due notice thereof, to receive comments regarding the proposed voluntary annexation of 25 acres on Julian Road.

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

Thereupon, Ms. Alexander made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, North Carolina, to include 25.000 acres, Tax Map 402 Parcel 088 with an effective date retroactive to June 30, 2014. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Mses. Alexander and Blackwell voted AYE. (5-0)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, TO INCLUDE 25.000 ACRES, TAX MAP 402 PARCEL 088.

(The above Ordinance is recorded in full in Ordinance Book No. 24 at Page No. 89-90, and is known as Ordinance 2014-25)

### **POOL HALL PERMIT – MR. SHAWN WHEELER**

Police Chief Rory Collins addressed Council regarding an application for a pool hall permit for Mr. Shawn Wheeler, owner of Firewater located at 122 Avalon Drive.

Chief Collins noted a site inspection was conducted, and the property was found to be clean and sanitary. He stated as part of the investigation a limited review of Mr. Wheeler's background was conducted, and the establishment and Mr. Wheeler met the criteria required by City Code.

Chief Collins stated the establishment's operating hours are compliant to City Ordinance, and the business will operate four pool tables.

(b) Mayor Woodson convened a public hearing, after due notice thereof, to receive comments regarding the issuance of a pool hall permit for Mr. Shawn Wheeler.

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

Councilmember Miller pointed out if inappropriate behavior occurs the pool hall permit could be revoked. Chief Collins stated that is correct.

Thereupon, Mr. Miller made a **motion** to issue a permit for Mr. Shawn Wheeler to operate a pool hall located at 122 Avalon Drive. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE. (5-0)

#### **POOL HALL PERMIT – MS. GLENDA ZAMBRANO**

Police Chief Rory Collins addressed Council regarding an application for a pool hall permit for Ms. Glenda Zambrano, owner of La Cabana located at 2168 Statesville Boulevard.

Chief Collins noted a site inspection was conducted, and the property was found to be clean and sanitary. He stated as part of the investigation a limited review of Ms. Zambrano's background was conducted, and the establishment and Ms. Zambrano met the criteria required by City Code. He indicated the business will operate two pool tables.

(b) Mayor Woodson convened a public hearing, after due notice thereof, to receive comments regarding the issuance of a pool hall permit for Ms. Glenda Zambrano.

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

Thereupon, Mr. Miller made a **motion** to issue a permit for Ms. Glenda Zambrano to operate a pool hall located at 2168 Statesville Boulevard for the same reasons as stated in the previous item. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE. (5-0)

#### **1030 SOUTH FULTON STREET TO BE REPAIRED OR VACATED AND CLOSED OR DEMOLISHED**

Code Services Manager Chris Branham reviewed the property located at 1030 South Fulton Street. He displayed a map of the area, and he pointed out the property's close proximity to South Main Street, Chestnut Hill Cemetery and Salisbury High School. He displayed photographs of the property and surrounding homes.

Mr. Branham indicated the property is:

- Located in the Fulton Heights National Historic District
- Built in 1902 as a duplex/triplex home
- Property owner lives in Plainsboro, New Jersey
- Fire occurred February 22, 2009
  - Property value was \$50,000 at time of fire
  - Fire Marshall's office projected \$10,000 in property loss
- Current assessed tax value is \$37,706
- Notice of Hearing Letter – September 28, 2012
- Findings of Fact Letter – November 16, 2012
- Historic Preservation Commission (HPC) delayed demolition for 90 days - November 14, 2013
- No interest from owner to repair the property

Mr. Branham explained Code Services reached out to the property owner during the duration of the delays and attempted to work with him on the property. He noted the property owner indicated he would like to fix the property, but no progress has been made. He displayed photographs of the fire and water damage, and he pointed out the neighboring properties are well maintained. He stated staff recommends adopting an Ordinance directing the Code Services Division Manager to cause the dwelling located at 1030 South Fulton Street to be repaired or vacated and closed and demolished.

Thereupon, Ms. Blackwell made a **motion** to adopt an Ordinance directing the Code Services Division Manager to cause the dwelling located at 1030 South Fulton Street, Salisbury, North Carolina to be repaired or vacated and closed and demolished it being unfit for human habitation. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE. (5-0)

**ORDINANCE DIRECTING THE CODE SERVICES DIVISION MANAGER TO CAUSE THE DWELLING LOCATED AT 1030 SOUTH FULTON STREET, SALISBURY, NORTH CAROLINA TO BE REPAIRED OR VACATED AND CLOSED OR DEMOLISHED, IT BEING UNFIT FOR HUMAN HABITATION.**

(The above Ordinance is recorded in full in Ordinance Book No. 24 at Page No. 91, and is known as Ordinance 2014-26)

### **REPRESENTATIVE EUGENE MCCOMBS MEMORIAL HIGHWAY**

City Engineer Wendy Brindle noted staff received a request from Mr. Charlie Walters to dedicate a portion of Faith Road, between Jake Alexander Boulevard and North Carolina Highway 152, as Representative Eugene McCombs Memorial Highway. She explained Rowan County and the towns of Faith and Granite Quarry will need to adopt similar Resolutions prior to the submission to North Carolina Department of Transportation (NCDOT) for designation status.

Mr. Walters noted Representative McCombs served as a Rowan County Commissioner for 12 years, 10 of which were as Commission Chair, and later served two terms in the North Carolina Legislature. He pointed out Dan Nicholas Park was created during Representative McCombs tenure as County Commission Chair. He thanked Council for considering the Resolution to honor Representative McCombs.

Mayor Woodson stated Representative McCombs many years of service to the community was impressive.

Councilmember Kennedy noted he remembers Representative McCombs' service to the community. He pointed out he worked with Ms. Jean McCombs at East Rowan High School and the two served the community well.

Councilmember Alexander thanked Mr. Walters for bringing the request before Council. She noted she had a personal history with the McCombs family through her time on the American Institute of Architects (AIA) Board and its work with the legislature.

Thereupon, Mr. Kennedy made a **motion** to adopt a Resolution in memory of Representative Eugene McCombs and recommend designating Faith Road, between Jake Alexander Boulevard and North Carolina Highway 152, as Representative Eugene McCombs Memorial Highway. Ms. Alexander seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Mses. Alexander and Blackwell voted AYE. (5-0)

#### RESOLUTION IN MEMORY OF REPRESENTATIVE W. EUGENE MCCOMBS

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 19, and is known as Resolution 2014-17)

#### **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS**

This item was postponed.

Mayor Woodson encouraged all citizens interested in serving on the Zoning Board of Adjustment to apply.

#### **INTERIM CITY MANAGER'S COMMENTS**

##### (a) West Innes Street Bridge Construction

Interim City Manager John Sofley asked City Engineer Wendy Brindle to update Council regarding the West Innes Street Bridge Construction Project. Ms. Brindle noted she spoke with North Carolina Department of Transportation (NCDOT) Engineer Aaron Griffith who indicated the contractor has a goal completion date of August 28, 2014, but due to delays a more realistic completion date would be September 5, 2014.

Ms. Brindle stated students return to school August 25, 2014, creating an inconvenience for area schools that will last approximately two weeks. She indicated if the weather holds out, the project may be completed by August 28, 2014.

Ms. Brindle noted she will update Council as additional information becomes available.

Mayor Woodson stated he received several complaints from citizens regarding the West Innes Street Bridge closure. He asked if September 5, 2014 is the estimated completion date. Ms. Brindle noted September 5, 2014 is the realistic completion date.

Councilmember Miller thanked Ms. Brindle for the update.

Ms. Brindle added staff will notify the area schools affected by the project.

(b) Adopted Budget

Interim City Manager John Sofley presented copies of the FY2014-2015 Adopted Budget to Council. He noted the Budget will be posted to the City's website and provided to citizens who requested a copy.

## **MAYOR'S ANNOUNCEMENTS**

(a) Free Leaf Mulch

Mayor Woodson announced the Public Services Department is offering free leaf mulch. The public is invited to pick up the mulch every Friday from 10:00 a.m. until 12:00 noon at the Waste Treatment plant located at 1915 Grub Ferry Road. To schedule a large load appointment or for more information contact Public Services at 704 638-5268.

(b) National Night Out

Mayor Woodson announced the Salisbury Police Department and community and neighborhood organizations will host National Night Out Tuesday, August 5, 2014, from 4:00 p.m. until 9:00 p.m. Participating neighborhoods will have cookouts, games/events, and each location will receive a visit from Salisbury Police Department Command Staff and Patrol Officers assigned to their neighborhood. The Police Department's Youth Crime Prevention Officer will visit many of the sites along with Community Relations Officers and McGruff the Crime Dog.

(c) Community Fun Day

Mayor Woodson announced the Salisbury Parks and Recreation Department will host a Community Fun Day Friday, August 8, 2014 from 6:00 p.m. until 8:00 p.m. at City Park. There will be games, face painting, a bounce house, live entertainment and special treats. The event is free and open to the public.



(d) “Movies in the Park”

Mayor Woodson announced the Salisbury Parks and Recreation Department will host “Movies in the Park” at City Park Friday, August 8, 2014. Pre-movie activities begin at 8:00 p.m. The movie will begin at approximately 9:00 p.m. Bring a blanket or chair to watch the featured movie “Cloudy with a Chance of Meatballs 2.” This free event is sponsored by Fibrant and open to the public.

(e) Bell Tower Concert Series

Mayor Woodson announced new summer Bell Tower Concert Series will be held on the second and third Thursday of each month from 5:00 p.m. until 7:00 p.m. through October 16, 2014. The next concert will be held Thursday, August 14, 2014. Bring a blanket or chair and enjoy this great time for the whole family. This free event is sponsored by Guitar USA.

(f) Summer Night Out

Mayor Woodson announced the Rowan Convention and Visitors Bureau will host Summer Night Out Friday, August 15, 2014 from 5:00 p.m. until 9:00 p.m. in downtown Salisbury.

(g) Fish Fry Fundraiser

Mayor Woodson announced the Dixonville-Lincoln Memorial Task Force will host a Fish Fry Fundraiser Tuesday, August 26, 2014 at the Civic Center located at 316 Martin Luther King Jr. Avenue. Eat-in or take out will be available from 11:00 a.m. until 2:00 p.m. and from 5:00 p.m. until 8:00 p.m. Tickets are \$10.00 each and may be purchased at the Visitor’s Center, the City of Salisbury One-Stop-Shop, the Civic Center, and other park centers or by calling 704 638-5242.

(h) Dragon Boat Race

Councilmember Alexander stated the Dragon Boat Race held Saturday, August 2, 2014 on High Rock Lake was a huge success. She noted the major event sponsors were the Rowan County Chamber of Commerce and Novant Health.

Ms. Alexander explained the Rowan County Chamber of Commerce and Novant Health are also sponsoring the Corporate Health Cup, a 10,000 mile challenge for businesses. Ms. Alexander challenged Council and City employees to participate in the program which began on August 2, 2014 and will end January 22, 2015. She noted participants can sign up online and awards will be given at the end of the program. Ms. Alexander indicated miles are earned by doing some form of exercise. She noted Rowan County is currently in the bottom 50 percent of County Health Rankings in North Carolina.

(i) GIGTANK– Chattanooga, Tennessee

Mayor Pro Tem Blackwell noted she attended GIGTANK in Chattanooga, Tennessee last week. She explained GIGTANK is patterned after Shark Tank where rising entrepreneurs pitch their ideas to venture capitalist. She pointed out Chattanooga's version capitalizes on the city's Gigabit status.

Ms. Blackwell explained the one-day event is the culmination of a 10-week program. She indicated potential business people compete to be 1 of 10 accepted into the program. She stated the competitors stay in Chattanooga for the summer where coaches and mentors including four financial analysts, two legal firms, two accounting firms and two banks advise contestants and help develop their vision into a business plan.

Ms. Blackwell stated college students are recruited for the program. She pointed out Chattanooga received 300 applications and selected 10 applicants to compete.

Ms. Blackwell noted approximately 700 people attended GIGTANK including 100 venture capitalists looking to invest in the firms and create jobs in the Chattanooga area. She pointed out Electric Power Board (EPB) Fiber Optics was a main sponsor and provided charging stations for Wi-Fi devices.

Ms. Blackwell indicated the theme of the event was 3D Printing. She displayed photographs of items printed using a 3D printer. She pointed out a vendor at the event, Feetz, printed a pair of shoes based upon a photograph of a person's feet taken on special paper. She noted another company turned MRI scans into 3D models that could assist in patient diagnosis and treatment.

Ms. Blackwell stated last year's theme promoted health care, and the winner invented a light bulb that is used in operating rooms to help prevent surgical mistakes.

Ms. Blackwell pointed out Chattanooga promotes itself as a Gig City. She added Chattanooga offers the same service as Salisbury, but they are not keeping it secret. She noted in 2007 Council invested in Fibrant. She emphasized the utility was established to create jobs but lacks a plan to attract businesses to the area. She pointed out Chattanooga, like Salisbury, is one of less than 12 Gig Cities in the United States.

Ms. Blackwell indicated Rowan County's jobless rate exceeds the national average and Council must market Fibrant to attract jobs to the region. She challenged Council to create a plan to market its Gig City status to the world. She suggested establishing a committee comprised of Councilmembers and citizens to work together to develop recommendations. She stated the City can partner with its four local Colleges, and she added the Salisbury Business Center has a state-of-the-art theater that can stream information to other places.

Ms. Blackwell emphasized that as cities develop gigabit technology, Salisbury risks becoming another small city. She suggested planning to market Fibrant as the City's hidden treasure immediately. She noted Council is organizing a geek-table with Rowan Economic

Development Commission (EDC) Executive Director Robert Van Geons to bring together the private sector, the Fibrant team, and anyone with heavy technology use wishing to discuss strengths and weakness and potential investments in the community. She presented a copy of the handout from GIG Tank to each Councilmember, and she noted she would like to discuss capitalizing on the City's Gig status.

Councilmember Alexander stated a meeting has been scheduled with Interim City Manager John Sofley, Fibrant General Manager Mike Jury and a team from the University of North Carolina at Charlotte (UNCC) Wednesday, August 6, 2014 to discuss Fibrant. She added UNCC has one of the best informatics programs in the United States and is looking to provide students with access to the City's equipment and gigabit technology. Ms. Alexander stated she will report back to the Council at its next meeting.

Mayor Woodson noted Council asked Mr. Van Geons to organize the geek-table. He stated there are two cities in North Carolina that are Gig cities, Salisbury and the City of Wilson. He noted, in the past, small cities relied on manufacturing jobs but times have changed, and the City must promote itself to stand out. He emphasized Council developed Fibrant as an economic tool to entice high-tech businesses to the community, and Council must market Fibrant to bring jobs to the City.

Councilmember Miller stated the City has a tool that is not being fully utilized. He added there is a goal setting retreat in February where goals are set and funds are designated so action can be taken in the next budget year. He pointed out if staff waits until February to figure out the plan, precious time is lost. He noted Council must build an actionable plan that sets goals for incremental progress.

Ms. Blackwell stated EPB Vice-President of Corporate Communications Danna Bailey spoke to Council at its 2014 Retreat and was a keynote speaker at GIG Tank. Ms. Blackwell emphasized promoting Fibrant is in line with Council's goals.

Mr. Sofley added the Annual Budget just presented to Council includes a goal to develop a City-specific economic development focus that leverages broadband infrastructure. He indicated he has worked with the City's financial staff to assemble funds to implement this goal.

Ms. Alexander pointed out a new business requires time to get the infrastructure running and reliability in place. She added it would have been a mistake to jump into something without the reliability. She noted Council's previous goal to become 99.999 percent reliable has been achieved, along with the financial stability needed for the next step. She stated Council is ready to take the next step, and all of Council is working toward that goal.

Ms. Blackwell pointed out Chattanooga's technology is the same age as Salisbury's. She added the City is in a race, the gun has fired and the City must run.

Mayor Woodson indicated in the last couple of months there have been rumors regarding Fibrant. He stated he has reviewed financial data with Mr. Sofley and Council. He emphasized he is proud of all that has been accomplished, and he asked Mr. Sofley to update Council regarding Fibrant.

Mr. Sofley noted Fibrant billed over 3,000 customers, over \$455,000 in July. He pointed out the customer base is growing, even with the rate change. He explained programmers required shifting many of the high-definition programming to the bronze package. He stated there is a greater demand for the package because it offers more high definition channels than Fibrant's competitors. He added during the last two weeks, 43 new units were sold each week. He explained the average sales for the first two weeks of July were 27 units, down slightly due to employee vacations and the July 4<sup>th</sup> holiday. He pointed out the price is higher, but the product has been easier to sale. He added customer referral is also helping sales.

Mayor Woodson stated he is very pleased with Fibrant's progress, and billing \$455,000 in July is phenomenal. He emphasized Fibrant signed up 86 new customers in the last two weeks and approximately 120 to 130 customers for the month.

Mayor Woodson encouraged citizens to sign up for Fibrant. He noted Council must do all it can to promote the City and bring high-tech jobs to the area to replace lost manufacturing jobs.

Councilmember Kennedy stated he is pleased to hear about the new customers. He asked if the utility is retaining its previous subscribers. Mr. Sofley noted there have been very few disconnections. He added the majority of complaints are from lower tier customers that lost channels. He explained the channels were moved to a higher tier to meet programmer's requirements. He noted staff is working with each customer to meet their needs. He added Fibrant has not lost a customer due to changes in the lineup, but has received a few complaints. Mr. Kennedy stated Fibrant staff is meeting the challenge.

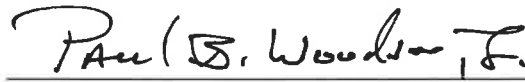
Mayor Woodson thanked Ms. Blackwell for her presentation. He added he is excited about the meeting with UNCC. He asked Ms. Alexander to report back to Council at its next meeting.

Ms. Alexander encouraged local business to consider Fibrant. She noted her current bill is 50 percent less than her previous bill because she bundles services. She challenged area business to compare prices and services, and she pointed out her new service is much faster than her previous service.

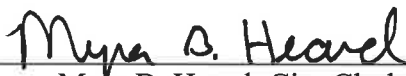
Mayor Woodson noted it would be difficult to go back after experiencing the speed of Fibrant.

**ADJOURNMENT**

Motion to adjourn the meeting was made by Ms. Blackwell seconded by Mr. Kennedy. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 5:00 p.m.



Paul B. Woodson, Jr., Mayor



Myra B. Heard, City Clerk