

Salisbury, North Carolina  
September 21, 2010

## **REGULAR MEETING**

**PRESENT:** Mayor Susan W. Kluttz, Presiding; Mayor Pro Tem Maggie A. Blackwell, Councilmen William (Pete) Kennedy, William Brian Miller, and Paul B. Woodson, Jr.; City Manager David W. Treme; City Clerk Myra B. Heard; and City Attorney F. Rivers Lawther, Jr.

**ABSENT:** None

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Councilman Woodson. Mr. Woodson stated that he has researched the meaning of the Star Spangled Banner for its meaning. He explained the song was adapted from a poem by Mr. Francis Scott Key which was written during a battle at Fort McHenry in Baltimore Maryland. He displayed photographs of Fort McHenry as the Star Spangled Banner played.

## **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 – SALISBURY-ROWAN READS! EVENTS PARTICIPANTS**

Ms. Karen Wilkinson, Director of Public Information and Communications, shared a video highlighting scenes from each Salisbury-Rowan READS! events, where local officials read to children. These events were held at the Rowan Public Library in Salisbury, the East Branch Public Library in Rockwell, the Spencer Library Park in Spencer, the South Branch Public Library in China Grove, and Cleveland Elementary School in Cleveland. Mayor Kluttz thanked

Ms. Wilkinson for her work on the events, and noted more than 2,500 individuals participated in the summer reading program. She stated this is the second year the City has partnered with Rowan County Commissioners to sponsor the events.

Mayor Kluttz recognized Rowan County Board of Commissioners Chairman Carl Ford, Vice-Chairman Chad Mitchell, Commissioner Raymond Coltrain, and Commissioner Jon Barber. The County Commissioners joined Council and presented Certificates of Recognition to the following:

Mayor John Steele and the Town of Cleveland  
Mayor John Cowan and the Town of East Spencer  
Mayor Keith Deal and the Town of Faith  
Mayor Mary Ponds and the Town of Granite Quarry  
Mayor Dennis Brown and the Town of Landis (absent)  
Mayor Beau Taylor and the Town of Rockwell  
Mayor Jody Everhart and the Town of Spencer (Mayor Pro Tem Scott Benfield accepting)  
Ms. Suzanne White – Rowan Public Library  
Mr. Paul Birkhead – Rowan Public Library  
Mr. Jeff Hall, Director of the Rowan Public Library  
Dr. Judy Grissom – Rowan-Salisbury Schools (Ms. Rita Foil accepting)  
Dr. Sarah Hensley – Rowan-Salisbury Schools  
Ms. Becky Kepley-Lee – Cleveland Elementary School (absent)  
Mayor Don Bringle and the Town of China Grove (absent)

Mayor Kluttz thanked the County Commissioners for their partnership with the City, noting both Boards unanimously agreed that reading is vitally important to children and their success. She also thanked all of the Mayors, Towns, Rowan Public Library, and Rowan-Salisbury School System for their support for this project.

Mayor Kluttz thanked Ms. Wilkinson, and stated she coordinated all five reading events and did an outstanding job to make each event a success. She then presented Ms. Wilkinson with a framed photograph from the event.

### **PRESENTATION – SEEDS TO READ PROGRAM**

Ms. Elaney Hasselman, Parks and Recreation Marketing and Community Relations Manager, gave Council a presentation regarding the Parks and Recreation Seeds to Read program. Ms. Hasselman stated the tag-line for the program is “Growing Readers, One Book at a Time,” and she pointed out that two years ago, literacy was a topic discussed at Council’s retreat. Ms. Hasselman reviewed literacy statistics:

- 41% of fourth grade boys, and 35% of fourth grade girls read below the basic level, and in low-income urban schools this figure approaches 70%

- A recent study shows that in middle-income neighborhoods the ratio of books per child is 13 to 1 and in low-income neighborhoods, the ratio is 1 age appropriate book for every 300 children
- 78% of juvenile crime is committed by high school dropouts

Ms. Hasselman indicated statistics have also shown the most successful way to improve the reading achievement of low-income children is to increase their access to print, which includes books. She noted that the Early Childhood Longitudinal study found that in the spring of 2000, the children who were read to at least three times a week by a family member were almost twice as likely to score in the top 25% in reading compared to children who were read to less than three times a week.

Ms. Hasselman stated that one of the City's responses to literacy is the Seeds to Read program. She indicated the program, with the help of Ms. Karen Wilkinson, Director of Public Information and Communications, began in 2004 through a book grant from First Book, a national organization that provides books to businesses which provide resources in its community. She noted the grant's focus is serving children and families from low-income households, and the program should support a child's ongoing education outside of the classroom.

Ms. Hasselman reviewed the Seeds to Read program facts, indicating the program distributes books to:

- After-school programs
- Summer Camps
- Playground program
- Athletic programs
- Special and Community events
- Daycare Centers and Home Daycares
- Provides books for children from birth to grade 12

Ms. Hasselman reviewed the program facts, and the resources provided:

- 2 to 3 book grants are received per calendar year
- 1,500 to 2,000 books are distributed each year
- The program pays \$.35 per book
- The average value of each book is \$10.00
- 10 Ways to Grow a Reader reading tips
- Seeds to Read bookmarks (includes seeds for planting)
- Book name plates
- 2 to 3 books are given to each participant in order to build home libraries
- Increased books to libraries in the community centers

Ms. Hasselman explained how the Seeds to Read program meets several Council Goals:

- Council Goal 3.1 - Explore the development of a comprehensive neighborhood based youth initiative
  - Cannon Park Playground Program
  - Book Giveaway Pilot Project
- Council Goal 3.2 – continue partnering with Rowan County and municipalities in order to promote the importance of reading among our youth
  - Seeds to Read program
  - Book Distribution program

Mayor Kluttz thanked Ms. Hasselman for the report, and stated she is happy the program continues throughout the year.

## **PROCLAMATIONS**

Mayor Kluttz proclaimed the following observances:

CONSTITUTION WEEK	September 17-23, 2010
FIRE PREVENTION WEEK	October 3-9, 2010

## **CONSENT AGENDA**

(a) Approval of Minutes

Approve Minutes of the Regular meeting of September 7, 2010.

(b) Temporary Street Closure

Close Railroad Street between Horah Street and Monroe Street Saturday, September 11, 2010, from 10:00 a.m. until 3:00 p.m. for a Community Day Event at First Calvary Baptist Church, 4409 South Long Street.

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

## **2009-2010 CONSOLIDATED ANNUAL PLANNING AND EVALUATION REPORT (CAPER)**

(a) Ms. Janet Gapen, Senior Planner, addressed Council regarding the 2009-2010 Consolidated Annual Planning and Evaluation Report (CAPER). Ms. Gapen stated the CAPER

is a performance report for Community Development Block Grant (CDBG) funds and HOME program funds the City receives from the United States Housing and Urban Development (HUD) for housing and neighborhood revitalization. She indicated the City partners with the Salisbury Community Development Corporation (CDC) to administer these programs to address housing issues.

Ms. Gapen reviewed the available resources for FY2009-2010:

Community Development Block Grants (CDBG)	\$ 308,654.00
HOME Program	116,229.00
Program Income	<u>38,851.69</u>
<b>TOTAL</b>	<b>\$ 463,734.69</b>
Federal Recovery Funds (CBDG-R)	<u>\$ 82,747.00</u>
<b>TOTAL</b>	<b>\$ 546,481.69</b>

Ms. Gapen indicated that for several years the City has focused its neighborhood revitalization efforts into four neighborhoods including West End, Jersey City, East End, and Park Avenue. She indicated this year the City's efforts were focused in the West End and Jersey City communities. She reviewed housing and neighborhood improvements in these areas:

Jersey City

- One (1) - Property Acquisition/New Construction
  - 3 bedroom/2 bath
  - 1,240 square feet
  - \$110,000
  - \$610 mortgage payment

West End

- One (1) – Property Acquisition
  - For future rehabilitation/resale
- Two (2) – Owner-Occupied Rehabilitation
  - Roofing, windows, HVAC
- One (1) – Emergency Rehabilitation
  - Electrical and heating updates
- One (1) – New construction
- Sidewalk Construction
  - Partee Street – 1,300 linear feet

Ms. Gapen explained the homebuyer assistance and foreclosure prevention efforts taken by the Salisbury CDC:

- Homebuyer Education
  - 45 total participants
  - 6 residents of public housing
  - Topics: homeownership, insurance, maintenance, credit, and budgeting

- Foreclosure Prevention
  - 1,400 counseled
  - 220 loan modifications
  - 9 short-term loans
  - 36 one-time payments

Ms. Gapen reviewed partnering agencies:

- Salisbury Community Development Corporation
- City of Salisbury
- F&M Bank
- Fidelity Bank
- Food Lion
- Salisbury Post
- Miller Davis
- Quick Copy
- Rowan County United Way
- United States Department of Housing and Urban Development (HUD)
- North Carolina Housing Finance Agency
- Legal Aid of North Carolina
- North Carolina Housing Coalition
- North Carolina Commissioner of Banks

Ms. Gapen reviewed the public service activities funded with CDBG funds and the number of citizens who benefited from the funding:

<u>Agency</u>	<u>Total Number Benefiting from Activity</u>
Rowan Helping Ministries	325
Family Crisis Council	85
Community Care Clinic	911
Youth Employment Program	10
West End Garden	407
<b>TOTAL</b>	<u>1,738</u>

Ms. Gapen reviewed the source of leveraged funds:

<u>Source</u>	<u>Description</u>	<u>Total</u>
Rowan County United Way	Mortgage Assistance for laid-off workers	\$ 50,000.00
Consumer Credit Counseling	\$10/hr. X 20 hours X 12 months	2,400.00
Guest Speakers	Homeownership classes \$10/hr. @ 100 hrs	1,000.00
KKA Architects	House Plans	<u>1,000.00</u>
	<b>TOTAL</b>	<b>\$ 54,400.00</b>

Ms. Gapen indicated a copy of the complete performance report is available at the Rowan Public Library, City Planning office, CDC, and the City's website.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, to receive comments on the FY2009-2010 Consolidated Annual Performance and Evaluation Report (CAPER).

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

Mayor Kluttz thanked Ms. Gapen for the report.

### **SALISBURY TRANSIT SYSTEM – CHANGE TO ROUTE 1-GREEN ROUTE**

(a) Mr. Rodney Harrison, Salisbury Transit Manager, addressed Council regarding a change to Route 1- Green Route of the Salisbury Transit System. Mr. Harrison reviewed the proposed service improvements to the route, which currently serves South Main Street, Spencer, and Rowan-Cabarrus Community College (RCCC):

#### Inbound from RCCC to Depot Street (transfer site)

- Depart RCCC
- Left onto South Jake Alexander Boulevard
- Right on Klumac Road
  - Lutheran Home
  - Klumac Square
- Right on Martin Luther King Jr. Avenue
  - Salisbury Customer Service Center
  - Abundant Living Adult Day Service/Rufty Homes
  - Rowan County Senior Services
  - Sports Complex
- Left on Old Concord Road
  - Old Concord Road and South Shaver Street
  - Old Concord Road and Monroe Street
  - South Long Street and Fisher Street
- Left on East Innes Street
  - East Innes Street and South Long Street
- Right on Depot Street (transfer site)

Mr. Harrison reviewed the proposed schedule for inbound service from RCCC to Depot Street, noting it will stop at the Salisbury Customer Service Center and Brookview Apartments.

Mr. Harrison explained the service improvements of the proposed changes:

- Will eliminate back-tracking
- Departure and arrival times at the transfer site will be unchanged

- Current resources will be utilized
- Will provide new service on Klumac Road
- Increased frequency of service to Brookview Apartments, Old Concord Road, South Long Street and East Innes Street

(b) Mayor Kluttz convened a public hearing, after due notice thereof, to receive comments on the proposed changes to Salisbury Transit System's Route 1 – Green Route.

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

Councilman Kennedy commended staff for the arrangement of the route. He indicated citizens have requested service to Rufty-Holmes Senior Center, and it will be helpful to have transportation in that area.

(c) Thereupon, Mr. Kennedy made a **motion** to approve the proposed changes to Route 1 – Green Route for the Salisbury Transit System. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

### **SALISBURY TRANSIT SYSTEM – UPDATE DRUG AND ALCOHOL TESTING POLICY**

Mr. Rodney Harrison, Salisbury Transit Manager, addressed Council regarding an update to the Transit System's Drug and Alcohol Testing Policy. Mr. Harrison reviewed the purpose, background, and highlighted the amendments to the Policy:

#### Purpose

- Ensure that service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment
- Make certain the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public
- Complies with all federal regulation in the transit industry

#### Background

- United States Department of Transportation is amending certain provision of its drug testing procedures
- Provision becomes effective October 1, 2010
- Drug and Alcohol Policy must be updated
- Employees must be notified of the revision
- Receive authorization for the revision

#### Amendment Highlights

- Testing for MDMA (ecstasy)
- Initial testing for heroin mandatory for all opiate positives
- Lower cutoff levels for drugs



- Several revised definitions in-line with United States Department of Health and Human Services

Mr. Harrison indicated members of the Transportation Advisory Board's Policy and Procedure Committee met several times to address revisions to the current policy, and submitted the revised policy to the Advisory Board for review.

Councilman Miller asked if the update is to be in compliance with federal standards, and if the City previously had a policy. Mr. Harrison indicated the City has a policy in place, and these changes are being made to bring the current policy into compliance.

Thereupon, Mr. Miller made a **motion** to approve the updated Salisbury Transit System's Drug and Alcohol Testing Policy. Mr. Kennedy seconded the motion. Mr. Kennedy indicated the City should always protect its citizens and employees. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

### **SALISBURY TRANSIT SYSTEM – LASH DRIVE CONNECTOR UPDATE**

Mr. Rodney Harrison, Salisbury Transit Manager, addressed Council regarding the Lash Drive Connector. Mr. Harrison indicated that January 20, 2009, Ms. Mary Adams and Mr. Archie Reid, residents of the Lash Drive area, presented a petition signed by other residents of the Lash Drive community requesting bus service to the area. He noted that February 2, 2010, Council received a report requesting the Lash Drive Connector be added to provide service to the Lash Drive area as a pilot project. Mr. Harrison indicated service in this area is offered Tuesday and Thursday from 6:30 a.m. until 6:30 p.m. He pointed out the Lash Drive Connector expands the service area, and provides the Lash Drive Community greater access to the existing bus system.

Mr. Harrison indicated Transit staff worked well with community leaders to promote the service by distributing flyers, holding informational meetings throughout the community, and offering an informational table and bus service at the National Night Out held in the community.

Mr. Harrison stated the Lash Drive community population is estimated at 1,188 residents, and the average daily ridership is 16, with a total number of 753 trips taken to the area. He noted that July 28, 2010, staff met with Mr. Reid and Ms. Adams to discuss the trial period. He pointed out that as a result of this meeting, staff feels additional time is needed to monitor ridership for growth and to increase awareness of the service.

Mr. Harrison explained the projected cost to extend the service until December 31, 2010 is \$14,480. He requested Council consider extending the Lash Drive Connector service until December 31, 2010.

Councilman Woodson asked if 16 riders per day is a good number for ridership. Mr. Harrison indicated it is a fair start, pointing out there are two other new services, Rowan Express

South and Rowan Express East, which average 47 and 18 riders per day respectively. He stated considering the population of the Lash Drive area he feels it is a fair start.

Mayor Kluttz indicated that with additional education and awareness in the community, citizens will have an opportunity to use the service if it is needed.

Councilman Kennedy stated he thinks with the change in the Green Route, ridership will increase, and Council should support the extension.

Mayor Pro Tem Blackwell indicated she has met residents of the area who feel the service is working well for them. She stated they are able to arrange their appointments to coincide with the bus schedule.

Thereupon, Mr. Kennedy made a **motion** to approve the extension of the Lash Drive Connector until December 31, 2010. Mr. Woodson seconded the motion. Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

## **REPORT – SALISBURY TOURISM AND CULTURAL DEVELOPMENT COMMISSION AND ROWAN COUNTY CONVENTION AND VISITORS BUREAU**

Mr. Mark Lewis, Chairman of the Salisbury Tourism and Cultural Development Commission (STCDC), Mr. Joe Morris, Community Planning Services Director, Ms. Michelle Patterson, Chair of the Rowan County Convention and Visitors Bureau (RCCVB), and Mr. James Meacham, Executive Director of Rowan County Convention and Visitors Bureau, addressed Council regarding collaborative efforts between RCCVB and STCDC to promote Salisbury and Rowan County. Mr. Lewis indicated Council created the STCDC in fulfillment of a Council Goal. He pointed out when the two authorities met to discuss important issues regarding tourism, it was apparent that working together was best for the community. Mr. Lewis stated three mutual goals were identified: collaboration, cooperation, and communication. He added that the authorities decided they did not want to duplicate operational expenses and that they wanted to work with each other, and not against in order to have one identified organization for tourism in the community.

Mr. Morris indicated the STCDC, through enabling legislation, is required to report to Council annually. Mr. Morris reviewed the members of the Commission:

- Mr. Mark Lewis, Chair
- Mr. Bill Burgin, Vice-Chair
- Ms. Krista Osterweil, Marketing, Chair
- Ms. Barbara Perry, Destination Development, Chair
- Mr. David Redden
- Mr. Boris Bunich
- Ms. Michelle Patterson
- Mr. Randy Hemann
- Mr. Paul Woodson, City Council Liaison

- Mr. John Sofley, Treasurer
- Mr. Joe Morris, Staff Liaison
- Ms. Diana Moghrabi, Secretary

Mr. Morris explained the activities of the STCDC:

- 8 commission meetings
- Adopted an interim budget (FY2009-2010)
- Adopted an annual budget (FY2010-2011)
- Adopted Rules of Procedure
- Established a committee structure
  - Organizational Committee
  - Marketing Committee
  - Destination Development Committee
- Conducted strategic planning sessions
- Executed a Memorandum of Understanding with Rowan County Convention and Visitors Bureau

Mr. Morris reviewed the Committee's Mission, Values, and Vision

#### Mission

- Promote Salisbury and Rowan County to increase tourism by creating a positive and memorable visitor experience

#### Values

- Informed, creative and strategic
- Passion for Salisbury/Rowan
- Transparent
- Collaborative
- Integrity through fairness, impartial, and ethical behavior

#### Vision

- Listen to our hotels, sites, and attractions
  - Cultural Action Plan
  - Downtown Master Plan
  - Parks and Recreation Master Plan
  - Brick Street Live
  - Art On Easy Street
  - Norvell Theater
  - Salisbury Sculpture Show
  - OctoberTour
- Understand how dual Tourism Development Authorities work
  - Cooperative Marketing Program (interim program)
  - Cross representation between Tourism Development Authorities

- Execute a Memorandum of Understanding between Tourism Development Authorities creating a Joint Marketing Committee
- Address basic organizational issues
  - Appointments of Chair and Vice-Chair
  - Adopted Rules of Procedure
  - Established Committee Structure (organization, marketing, destination development)
  - Established regular meeting schedule
- Goal setting session
- Adopt a budget by June 30
  - Projected Occupancy Tax proceeds - \$300,000
  - Marketing Expense - \$194,000
  - Capital Expense - \$97,000
  - Administrative Fee - \$9,000
  - Total - \$300,000

Mr. Morris reviewed the current activities of the STCDC:

Current Activities

- Local tourism economy
- Implementation of a Joint Marketing Committee with Rowan County Convention and Visitors Bureau
- Development of a Wayfinding Signage system using capital funds allocated for Destination Development
- Development of a Tourism Master Plan with Rowan County Convention and Visitors Bureau

Ms. Patterson stated the TDAs of Salisbury and Rowan County have reached an agreement with the Memorandum of Understanding that will be very exciting for tourism in the community.

Mr. Meacham indicated that 2009 was prosperous for tourism in Rowan County. He stated that each year the North Carolina Department of Commerce tracks tourism expenditures on a county by county basis by tracking retail sales at tourism related businesses. He explained tourism related businesses are those that receive more than one-third of their business from visitors that live 50 miles outside of that county.

Mr. Meacham explained the current trends in the local tourism economy:

- Tourism economy in Rowan County grew 2% in 2009, one of only six North Carolina counties to witness growth
- 60 jobs added in 2009, total workforce of 1,210
- Tourism generated \$118.5 million in expenditures
- \$10.62 million in tax revenue (\$6.63 million from State and \$3.99 million locally)
- Hotel market saw annual revenue grow 5.4% for FY2008-2009 to FY2009-2010

- Sales and occupancy tax revenue from overnight visitors has increased for 10 consecutive months

Mr. Meacham indicated hotels can prosper by having more overnight guests, noting an overnight visitor's retail expenditures are more than those guests who only visit during the day. He pointed out most hotels across the United States experienced a revenue decrease greater than 5.4% for FY2009-2010. He noted that if overnight stays can be increased it will benefit both the hotels and the TDAs through the occupancy tax.

Mr. Meacham stated the joint Tourism marketing plan will promote 25 events throughout Rowan County and advertise in 21 publications from August 2010 until April 2011. He indicated the advertisements could reach 10.5 million consumers, and possibly generate 20,000 direct marketing leads.

Ms. Patterson read an advertisement regarding an overnight sweepstakes sponsored by the joint Tourism Marketing Program to experience a weekend in Salisbury and ride Thomas the Tank Train.

Mr. Meacham reviewed the Joint Tourism Marketing program:

- Launched a cooperative marketing program in April 2010 to promote the entire destination through the North Carolina Division of Tourism's Cooperative Marketing Program
- Joint Marketing Committee held first meeting in September and identified projects for immediate consideration
  - 2010 Holiday Marketing Campaign
  - Point of Service Marketing System (Kiosk Program)
  - Tourism Marketing Grants
  - Group Business Recruitment and Sponsorship

Mr. Morris reviewed the Destination Development: Wayfinding Signage activities:

- Directional signage system to increase the capacity for visitors and residents to navigate Salisbury
  - Sense of place
  - Identity
  - Key visitor needs: Visitor Center and Public Parking
  - Tool to encourage discovery and commerce

Mr. Meacham explained the Tourism Industry Master Plan:

- Comprehensive plan to develop a road map for future tourism marketing and development
  - Where are we today and where do we want to be tomorrow
  - Visitor analysis
  - Marketing

- Market opportunities and deficiencies
- Product development (soft and hard product)
- Future capital and investment

Mr. Lewis thanked Ms. Patterson, Mr. Meacham, Mr. Morris, and Ms. Diana Moghrabi for their work in the committee. He stated the collaboration is evident between the Boards, and he is excited to be a part of the committee.

Mayor Kluttz stated she was very excited to hear the report, and to hear that hotel market revenue has increased. She indicated she was happy that the two groups could come together and focus on an outcome that is advantageous for the City and County. Mayor Kluttz thanked the members of the committee for their hard work.

Mr. Lewis thanked Council for the appointees to the TDA Board, indicating their guidance was needed.

Councilman Miller stated he is excited about the collaboration, and thanked Mr. Lewis and Ms. Patterson for their leadership.

Ms. Patterson thanked Mr. Lewis, City staff, and Council for their continued efforts to invest in tourism.

## **UPDATE - ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING**

Senior Planner Janet Gapen addressed Council regarding an update to the Analysis of Impediments to Fair Housing assessment report. She noted that the study is a requirement of the United States Housing and Urban Development (HUD) for receipt of federal funds. She stated the Report is updated every five years, and it is time for the City to update its study on fair housing. She explained that the name of the report is, “Analysis of Impediments to Fair Housing Choice” and it covers:

- Nature and extent of housing discrimination
- Market conditions that may limit the range of housing choices
- Fair housing complaints
- Identify impediments
- Recommend actions

She explained an impediment to Fair Housing is defined as: any actions, omissions, or decisions taken because of race, color, ancestry, national origin, religion, sex, disability, age, marital status, sexual orientation, source of income which restrict housing choices or the availability of housing choices. She noted that it also includes any actions, omissions or decisions which have the effect of restricting housing choices.

Ms. Gapen reviewed data used in the Report, and noted this part of the study is important because it shows the community characteristics which are baseline factors that impact housing.

Ms. Gapen then reviewed area unemployment rates:

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
National	4.7%	5.8%	6.0%	5.5%	5.1%	4.6%	4.6%	5.8%	9.3%	9.5%
North Carolina	2.0%	2.4%	2.6%	2.4%	2.1%	1.9%	1.8%	2.1%	5.5%	4.8%
Charlotte Metro	5.7%	6.4%	6.5%	6.0%	5.4%	5.0%	5.0%	6.0%	12.3%	11.4%
Rowan County	3.8%	2.6%	4.1%	5.3%	2.2%	2.5%	6.0%	3.2%	9.4%	7.5%
Salisbury	9.8%	10.5%	11.4%	11.5%	7.2%	6.2%	7.3%	8.6%	11.4%	12.2%

Ms. Gapen also reviewed population percentages for various races. She noted the White population for Salisbury is 54%, and the African-American population is 39%. She indicated that compared to 2000 figures, the percentages are lower for the White population and higher for the African-American population. Ms. Gapen stated that the Hispanic/Latino population is 7.09%, compared to 2000 when it was just over 4%. She noted that between 2009 and 2014, the White population is expected to decrease by 1.14%, the African-American population is expected to increase by 3.48%, and the Hispanic/Latino population is expected to increase by 24.97%.

Ms. Gapen reviewed the 2009 Percent of People in Age Group

Age	Number of People in Age Group	Percent of People in Age Group	Percent of People in Age Group (North Carolina)
Under 5	1,678	6.24%	7%
Under 18	5,918	22.01%	24.30%
Working Age (18-64)	15,745	58.55%	63.09%
Aging (65+)	5,230	19.45%	12.61%

Ms. Gapen noted that the distribution of African-American population in the City is largely concentrated in the neighborhoods surrounding downtown, and the central business district. She added that with the exception of the outermost areas, Salisbury exhibits a level of at least 21% to 40% African-American residents, or approximately 39.18% for the City as a whole. She stated that the Hispanic/Latino population is more concentrated than the African-American population, and although the Hispanic/Latino population is only 7.09%, there are few block groups that have a higher percentage.

Ms. Gapen reviewed a chart with data for 2009 household compositions, and stated that in 2009, Salisbury exhibited higher percentages of single-parent households and female head of households compared to the county and state. She pointed out that single-female with children households are 12.57% of the City population, compared to 8.11% for Rowan County, and 8.32% for North Carolina.

Ms. Gapen discussed the rank order of income brackets by percentage of households:

Household Incomes	Percentage of Households
\$50,000 to \$74,999	16.90%
\$15,000 to \$24,999	15.00%
\$35,000 to \$49,999	13.70%
\$25,000 to \$34,999	12.10%
Less than \$10,000	11.70%
\$75,000 to \$99,000	8.60%
\$100,000 to \$149,999	7.50%
\$200,000 or more	3.20%
\$150,000	2.40%

Ms. Gapen reviewed a map depicting the percentage of vacant units throughout the City. She noted that in addition to the areas near the central business district, areas in the northwestern section along Statesville Boulevard, and to the southwest near I-85 and Old Concord Road exhibit relatively high vacancy rates.

Mr. Gapen then reviewed two graphs depicting the demand for housing versus the supply for housing by income bracket for the years 2000 and 2008. She pointed out that for households that earn up to \$10,000, the demand was much higher than the supply in 2000. She stated that for the income bracket of \$10,000 to \$14,999, the supply was higher than demand. Ms. Gapen then pointed out the graph for 2008 and noted there was an even greater disparity between demand and supply for the household incomes up to \$10,000. She stated that for the income brackets of \$10,000 to \$14,999 and \$15,000 to \$24,999 the situation reversed from 2000, and there is now a greater demand than supply.

Ms. Gapen stated that staff is at the point of analyzing all of the data obtained and developing recommendations for the Plan. She noted that staff is working with Mr. Ike Heard, Consultant, to develop the Plan, and stated the process to move forward includes:

1. Research
2. Public Input
  - Public Hearing
  - Surveys
  - Publish Draft Report
  - 30-day Comment Period
3. Incorporate Public Input/Finalize Draft
4. City Council Consideration



Ms. Gapen displayed a 2010 Fair Housing survey which consists of 25 questions that citizens are encouraged to complete. She noted the survey is available on the City's website, and staff would like to hear from citizens whether they own a home, rent, or have experience trying to obtain housing in Salisbury. She added that paper copies of the survey are also available by contacting the Planning Office at 704-638-5230.

Councilman Kennedy stated he thinks it is important for the survey to be available on the website, but he would like to have other means to get the survey to citizens. He noted that many citizens do not have internet and would not have access to the survey. He asked if there are other means of distributing the survey to the public.

Mr. Gapen stated she will be attending several community meetings within the next few weeks, involving community leaders and neighborhood activists. She added that she will also make a presentation to any community group who might be interested.

Councilman Woodson referred to the graph of unemployment rates, and stated he is surprised the State unemployment rate is 4.8%, because he thought it was much higher. Ms. Gapen stated she will compare the numbers to determine if the figure is correct.

Ms. Gapen requested Council set a public hearing for October 19, 2010 to receive public comments on the proposed Plan.

Thereupon, Mayor Pro Tem Blackwell made a **motion** to set a public hearing for October 19, 2010 to receive public comments regarding the Analysis of Impediments to Fair Housing. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

## **RESOLUTION – LEGISLATIVE INTENT REGARDING BETTER HOUSING**

Mr. Joe Morris, Community Planning Services Director, indicated Council adopted its Goals March 2010, with Outcome 2 being to improve neighborhoods and safety for all areas of the City. He noted Goal 4 states, "appoint a task force to pursue implementation of the better housing code and formation of a Housing Commission." He stated he has gathered information as he worked on this goal and will offer a slightly different approach that he thinks will ultimately have favorable results based on the Council directive.

Mr. Morris referred to a Housing Study conducted by the Community Appearance Commission (CAC) Neighborhood Leaders Alliance in 2006. He explained that members toured the community and rated houses based on their conditions and whether they were moderate, high-risk or extreme housing conditions. He stated that this report was an awakening for the City and launched a great deal of discussion over the past several years. Mr. Morris noted that interim steps have been taken that will assist in addressing the goal.

Mr. Morris displayed a map depicting the locations of the 116 Minimum Housing cases currently under review. He then displayed a map identifying the density of violations in the City,

and the areas where Code violations are concentrated. Mr. Morris pointed out the areas identified in the 2006 CAC study parallel the areas currently being addressed by Code Services. He explained that it has taken a while to address the issues, but there needed to be a structural mechanism in place, which was the creation of the Code Enforcement Division. Mr. Morris noted that when the maps are compared, there is correlation between Code Enforcement activity and the diminished quality of housing.

Mr. Morris reviewed the initial steps that have been taken since the 2006 CAC study:

- Created Neighborhood Planning Areas:
  - Based on census tracts
  - Used for planning and code enforcement
  - Allows observation of conditions over time

Mr. Morris noted that these tools were not available when the 2006 study was conducted. He explained that staff has been building the system to allow for informed decisions based on empirical data. He added that it also allows observations of the conditions to be made over time. Mr. Morris stated that as census data is updated, the condition information will be updated which will allow decisions to be made as to how these areas of the community are addressed.

Mr. Morris stated that one of the biggest steps to address housing and code enforcement issues was the creation of the Code Enforcement Division. He indicated that prior to the creation of the Code Enforcement Division cases were handled by three different areas: Public Services, Fire Department, and Development Services. He stated these groups have been combined into one Division that is:

- Visible
- Professional
- Strategic
- Customer service focused
- Responsive consistent
- Adaptive

Mr. Morris reviewed changing conditions in the community:

- Negative Trends
  - Economic stress – locally and nationally
  - Increased number of foreclosures and home abandonment
  - Diminished effectiveness of enforcement proceedings
- Positive Trends
  - Increased awareness of conditions affecting neighborhood stability
  - More opportunity for community participation and emerging organizational involvement

Mr. Morris reviewed foreclosures for Rowan County and the State of North Carolina. He noted that in 2000 the rates began to increase, and noted this was when Parkdale Mill closed in

Rowan County. He stated in 2003 there was a spike in foreclosures and this was the same year Pillowtex closed. He noted that he thinks the foreclosure rate has remained stable over the last several years, rather than trending upward like the entire State, because of the foreclosure prevention efforts offered by the Community Development Corporation.

Mr. Morris reviewed Nuisance Abatements:

- 2,735 Notices of Violation were mailed
- 750 violations were abated by the City of Salisbury
- 73% of violations were corrected by the owner
- \$143,000 in fees and fines assessed to violators
- \$36,600 paid to contractors for abatement services
- \$9,000 fees and fines collected
- \$134,000 filed as tax liens

Mr. Morris then reviewed data for Minimum Housing:

- 116 Notices of Violation were mailed
- 15.51% of violations were abated by the City of Salisbury (18 of 116)
- 10.34% of violations were corrected by the owner (12 of 116)
- \$21,890 paid for demolition and materials for abatement services
- Less than \$1,000 in expense recouped collected (less than 5%)

Mr. Morris noted a flow chart depicting the steps taken during the Code Enforcement process. He pointed out that Code Enforcement staff has to take 16 different steps for a property within a historic district to deal with a Minimum Housing violation. He indicated for houses outside of a historic district there are 15 steps that must be taken, and stated that this is a very deliberate process. He stated the fact that only a certain number of cases can be handled is a reflection of the Division's manpower capacity.

Mr. Morris stated the current distressed property strategies include:

- Home abandonment due to financial stress
- Nuisance abatement proceedings
- Neighborhood decline

Mr. Morris recommended addressing these strategies through:

- Increased financial counseling and foreclosure prevention
- Increased interaction and communication
- More neighborhood involvement and stabilization

Mr. Morris recommended an incremental step which will involve the community:

- Create an advisory commission composed of housing and neighborhood advocates

- Emphasize education, financial literacy and neighborhood improvement
- Involve the community
  - Neighborhood Leaders Alliance
  - Human Relations Council
  - Salisbury Community Development Corporation
  - Salisbury Housing Authority
  - United Way and many others
  - Property owners and tenants

Mr. Morris noted that there are many agencies in the community that work with issues associated with housing, but there is no structure in place to allow collaboration. He added that he thinks there must be involvement from the real estate community in order to make positive decisions in terms of property values within the City.

Mr. Morris referred to a Resolution of Legislative Intent provided to Council, and noted it contains six main points addressing how an Advisory Commission would be established and how the stakeholders would be engaged in the activity. He pointed out two of the main points are to establish a permanent structural framework for addressing community housing needs while avoiding duplication of effort, and providing solutions where areas of need exist; and that the findings of the committee will be reported to Council within 180 days.

Mr. Morris explained that the Resolution of Legislative Intent would not preclude the creation of a Housing Commission, but is a step toward the implementation of a Council goal. He stated that he believes bringing more people into the process in a structured way will create benefits for the community.

Mayor Klutz stated she likes the approach presented by Mr. Morris because economic times have changed, and she thinks it is a positive approach to promote and help citizens achieve better housing, as opposed to policing what needs to be repaired. She commented that if people are not paying fines and do not have money available, simply adding more fines will not solve the problem. Mayor Klutz stated there are excellent agencies and services in the community to help people, but they are not coordinated and do not always understand what the others are doing. She stated she would like to see this brought together first, and then move forward from there.

Mayor Pro Tem Blackwell stated that Council was pleased to add this to its goals in February, and ever since it was added members of the Neighborhood Leaders Alliance have asked when it will happen. She thanked Mr. Morris for bringing the foreclosures to Council's attention because it is an important part of the housing situation. She also affirmed Mr. Morris's efforts to be inclusive of the real estate community, landlords, and tenants, and stated she felt it is necessary. She stated the proposed Housing Commission cannot afford to alienate any community in the City. Ms. Blackwell stated that the study of a collaboration of community organizations and addressing foreclosure issues can no longer delay the formation of a Housing Commission.

Ms. Blackwell referred to the study presented by the Neighborhood Leader's Alliance to Council in 2006. She noted that in 2007 Council asked the Fire Department to study housing, and the recommendation mirrored the 2006 recommendation that a Code Enforcement Division and Housing Commission be established. She noted that these studies followed a 1999 study of housing, which was endorsed by Council, but no action was ever taken. She stated that housing has been studied and studied in the City, and while she lauds the concept of studying it further, she would not want it to preclude what the community has waited for, for a long time.

Ms. Blackwell stated she thinks the Resolution of Legislative Intent is a fine start, but she has recommendations for changes. She pointed out that Resolution calls for an Advisory Commission to be composed of representatives from various organizations, but she feels this does not need to be stated because item 4 in the Resolution spells out the groups to be included, and she thinks this is adequate. She stated that she thinks if too many organizations are involved, progress will be slowed and citizens are weary of this happening. She also proposed item 5 in the Resolution be changed to state, "study existing housing commissions in other communities and to evaluate the creation of a Housing Commission as a means of implementing the proposed Housing Code."

Councilman Woodson stated he received a great deal of response after the *Salisbury Post* displayed photographs of the deteriorated conditions shown during a report at Council's September 7, 2010 meeting. He indicated people were surprised these types of conditions existed in Salisbury, and he thinks people are ready to move forward with a Housing Commission. He stated that rental agents have also spoken to him regarding the fact that they rent homes to people, but there is no force to make the owners responsible for the repairs. He commented that he understands remodeling is hard in the current economy, but he thinks basic necessities should be provided. Mr. Woodson stated he thinks the community is ready for Council to take action because this issue has been discussed for several years. He indicated he hopes the Commission proposed by Mr. Morris will move quickly. He noted that Council promised during the election that it would take action, and he is ready to move forward.

Mayor Kluttz stated that a great deal of work has gone into Mr. Morris's recommendation, and she is concerned that during these bad economic times when 1,422 families have received foreclosure counseling just to save their homes, she is not sure this is the right time to rush into policing when families may be in crisis. She stated she thinks Council should step back and look at what it can do to help these people in need. She noted that she agrees Council saw terrible pictures at its last meeting, but that was an issue the Code Enforcement Manager brought to Council, and something is being done about it. She indicated she thinks Council must be careful how this is handled at this point, noting there are organizations that may be able to do something about this in a positive way.

Councilman Miller indicated the goal of a Housing Commission is to improve housing standards in the community. He stated it will provide a structure to allow minimum or sub-standard housing to be brought to a level expected in the community. He commented he thinks this is similar to going into a doctor's office predetermining the prescription needed, and not allowing the doctor to prescribe what would work best in that situation. He commented that many people have worked very hard for a Housing Commission, and he perceives that anything

without that label is viewed as an unsuccessful attainment of the goal. Mr. Miller stated that he thinks Code Enforcement Manager Chris Branham and his department is doing the job of raising the standard in the community one house at a time. He added that he understands it is a slow process, but it is making an improvement. He noted that the fact that the City has one department and one manager doing what was done in three different departments with no coordinated structure is an improvement. Mr. Miller stated the fact that the maps shown by Mr. Morris show the correlation between what was seen by citizens and what is being actually implemented indicates it is working. He indicated that there is no question that minimum housing standards are a requisite, and he never wants to see anyone living in the squalor depicted in the pictures shown to Council. Mr. Miller stated he likes the fact that there is a set date for a recommendation to be given in 180 days, and although that may seem slow, some things take time to produce a good product. He commented that in reviewing this item for the meeting, he thought this was a great step, and he is encouraged because it is progress towards a goal Council has set. He stated he thinks the danger at this level is to get too involved in the details. He added that the people who deal with this on a daily basis should debate the mechanisms, rules, procedures and structure, and make a recommendation to Council. He stated he is happy with the proposal as long as Council is firm about the deadline, and suggested a progress report at mid-point of the process.

Councilman Kennedy indicated he did not want to debate a commission versus an advisory committee, and he is concerned about assessing fees and fines that citizens are unable to pay. He stated he does not want to establish anything that will cause undue stress on people who cannot afford to maintain their own houses. He commented that he does think there needs to be some sort of inspection process for rental homes in the City. He added he thinks a house or unit should be inspected for minimum housing before any tenant moves in, and it should be checked before water or electricity is allowed to be turned on. Mr. Kennedy stated he does not want to see situations such as the one shown to Council at its last meeting. He noted that he thinks these homes should have been inspected before the tenants were allowed to move in, and he supports whatever will accomplish this, whether it is an advisory committee or commission. Mr. Kennedy stated that many cities require inspections prior to tenants being allowed to move in, and this is what he would like to see in Salisbury.

Thereupon, Mr. Woodson made a **motion** to adopt a Resolution of Legislative Intent authorizing an Advisory Commission to pursue better housing and neighborhood stabilization, and get an update in 90 days with a complete report in 180 days. Mr. Miller seconded the motion.

Mayor Pro Tem Blackwell made an **amendment** to the motion to include the changes she requested, noting everything would stand, the 180 days would stand, item 1 remove various organizations and agencies from being required to be on the committee, just saying community representatives of various backgrounds and perspectives is not exclusive of them and they are mentioned in item 4; 2 would stand – to conduct preliminary research to reinforce the value of fair housing practices in Code Enforcement; 3 would stand – to ascertain the expectations of citizens with regards to safe and affordable housing; 4 would stand – to engage citizens, property owners, neighborhood residents, public agencies, non-profit organizations, tenants and landlords to obtain a comprehensive view of the current state of housing and neighborhood conditions

within the community; 5 would change – to study existing housing commissions in other communities and to evaluate the creation of a housing commission as a means of implementing the proposed housing Code. Mr. Kennedy clarified this would be to study. Ms. Blackwell confirmed this is correct. Ms. Blackwell stated item 6 would stand, and stated she is open to requesting an interim report, and thinks it is a fine idea. Mr. Woodson accepted the amendment to the motion. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, Woodson and Mses. Blackwell and Kluttz voted AYE (5-0)

## **UPDATE – HISTORIC PRESERVATION PLAN**

Senior Planner Janet Gapen provided Council a status update for the Historic Preservation Master Plan. She explained the funds for the Plan were made available through a Federal Historic Preservation Fund Grant in the amount of \$23,000, which includes the grant and the local match.

Ms. Gapen reviewed the purpose of the Historic Preservation Plan:

- Comprehensive/City-Wide
- Strategies for ongoing designations
- Project needs to sustain programs
- Outreach and education
- Develop vision and goals

Ms. Gapen stated that a consultant is needed for the process and a Request for Proposals (RFP) was issued in July 2010. She noted she worked closely with the State Historic Preservation Office to obtain a list of qualified consultants for this type of work. She indicated four strong proposals were received, and Arnett Muldrow and Associates was chosen. Ms. Gapen explained staff felt the proposal from Arnett Muldrow and Associates was particularly strong regarding the public process. She stated the RFP contained a suggested format for the public process, but the proposal from Arnett Muldrow and Associates went above and beyond. She stated the firm suggested an intensive four-day long work session, combined public meetings, focus groups with neighborhoods and key preservation leaders, and person to person interviews with key leaders in the community. Ms. Gapen noted that Mr. Arnett was formerly a Planner for the City of Salisbury, and since leaving over 10 years ago has been very involved in historic surveys, community branding and downtown development. She added that he will bring many strengths to the process, and will already have a level of familiarity with historic resources in the City.

Ms. Gapen reviewed the proposed schedule for the Plan:

- |  |                |
|--|----------------|
| • Issue Request for Proposals (complete) | July 2010      |
| • Adopt Resolution of Intent (complete)  | August 2010    |
| • Select Consultant (complete)           | September 2010 |
| • Appoint Advisory Committee             | September 2010 |
| • Project kick-off meeting               | October 2010   |

- Office and field visits November 2010
- Visioning and goal-setting January 2011
- Draft Reviews Spring 2011
- Completion of Plan August 2011

Ms. Gapen indicated there was a call for Advisory Committee members, and quite a few applications have been received. She noted that it would be beneficial to have representatives from current and future historic districts, such as the downtown area, Livingstone College area, and the Circle Drive/Confederate Avenue areas. She noted that the participants will participate in workshops, forums, and other events, with afternoon or evening meetings at key intervals.

Ms. Gapen stated that the Plan must be finalized by August 2011. She asked that any citizen interested in serving on the Historic Preservation Plan Advisory Committee contact the City Clerk's office.

Mayor Klutz encouraged citizens to participate, and noted she hopes a diverse group of people will be interested in assisting with this Plan.

### **UPDATE – MEADOWBROOK WATERLINE PROJECT**

Mr. Jim Behmer, Director of Salisbury-Rowan Utilities (SRU), and Mr. Tony Cinquemani, Public Services Director, updated Council regarding the waterline project in the Meadowbrook neighborhood. Mr. Behmer displayed a map of the area noting its location adjacent to Statesville Boulevard. He indicated the original water system was constructed in 1956, and he noted there have been approximately 100 water main breaks over the past 22 years in the Meadowbrook neighborhood. He stated the project will replace the entire water system in the neighborhood.

Mr. Behmer explained the specifics of the waterline replacement project:

- Over 12,000 linear feet of 6-inch Ductile Iron Pipe installed
- 161 residential services replaced
- 31 6-inch gate valves installed
- 15 fire hydrants replaced

Mr. Behmer indicated the total project costs are \$720,000 for waterline replacement, and \$210,000 for street resurfacing. He explained that SRU completed the project street by street so that the result would be a better finished product. He added that many times when waterline replacements are done, only the trench is repaved, but staff felt resurfacing the entire street would allow for better prices and provide a complete street overlay.



Mr. Behmer reviewed a timeline of the project:

- March 23, 2010 – Notification letters mailed to residents
- March 29, 2010 – Waterline installation began
- July 26, 2010 – Project update letter mailed to residents
- August 2010 – Street resurfacing began
- September 20, 2010 – Waterline replacement completed this week
- September 27, 2010 – Final phase of street resurfacing to continue

Mr. Behmer stated staff met with residents of the neighborhood to discuss completion of an area of the waterline adjacent to the community swimming pool, and decided to complete that portion of the waterline when school reopens.

Mr. Behmer displayed photographs depicting the waterline replacement and street resurfacing phases of the project. He also displayed a photograph that illustrated a completed portion of the project. He reiterated that the intent was to resurface the entire street, rather than leaving large patched sections.

Mr. Cinquemani explained that allowing the contractor to resurface the entire street will produce a better quality paving process than patching specific areas. He indicated the final phase of the resurfacing will begin September 27, 2010, and should be completed within two weeks.

Mr. Behmer stated there are several neighborhoods in Salisbury and surrounding areas that have waterlines that were installed 50 or more years ago, and over time all those sections will have to be replaced. He thanked the neighborhood for its patience because this has been a long project, and stated he hopes the finished result will be better for the neighborhood.

Mayor Kluttz asked the projected completion date of the project. Mr. Cinquemani indicated the final phase of the resurfacing will begin September 27, 2010, and should be completed within two weeks.

Mayor Kluttz indicated the neighbors have been patient during the process, and thanked Mr. Behmer and Mr. Cinquemani for the report. She stated Council appreciates staff taking the time to make sure the project is correct, and the process is not rushed.

### **RELAY FOR LIFE REPORT**

Ms. Elaney Hasselman, Parks and Recreation Marketing and Community Relations Manager, Ms. Becky Albrecht, Senior Administrative Specialist, and Ms. Niki Castor, Senior Administrative Specialist, provided Council a report regarding Relay for Life activities. Ms. Hasselman indicated the City of Salisbury has participated in the Rowan County Relay for Life for 10 years. She stated the team is very fortunate to have the support of employees and supporters throughout the City who have helped the team be successful. She indicated this year's theme was Relay Under the Big Top, and the event that took place April 30, and May 1, 2010.

Ms. Albrecht recognized the Relay for Life team members present, and thanked them for their support and assistance. She indicated several employees and retirees from various departments throughout the City have assisted throughout the year with the Relay for Life efforts.

Ms. Hasselman indicated the Salisbury Relay for Life Team goal was to raise \$3,000 and they surpassed that goal by raising \$4,544. She noted that Rowan County's Relay for Life goal was \$400,000 and they raised \$389,000. She pointed out Rowan County is one of the top 20 money producing counties in the United States.

Ms. Castor reviewed the multiple fundraisers held throughout the year that contributed to the team total. She stated anyone interested in donating to Relay for Life or joining the Salisbury Team should contact a member for assistance.

Ms. Hasselman indicated Mr. Chipper Thomas, Salisbury Fire Engineer, and his family have been instrumental in the success of the Salisbury Team. She thanked the Thomas family for their help and support. She also thanked the following:

- City of Salisbury Public Services
- City of Salisbury Code Services
- Salisbury Fire Department
- Salisbury Parks and Recreation Department
- Rowan Explorers
- Merle Norman Salon
- Capriano's
- Tinseltown Cinemas
- Packaging Corporation of America
- Logan's Roadhouse
- Swicegood Paper
- College Barbecue
- Richards Barbecue

Ms. Hasselman stated the theme of the 2011 Relay for Life of Rowan County will be Wide World of Sports and the event will be May 15-16, 2011 at the Rowan County Fairground. She indicated the City of Salisbury's Team will host its First Annual Fit Community 10K, in partnership with the Rowan-Salisbury Runners Club April 16, 2010. She pointed out all proceeds from the 10K will be donated to Salisbury's Relay for Life efforts.

Mayor Klutz stated this is another example of outstanding employees and what they do for the citizens of the City.

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

This item was postponed.

## **PUBLIC COMMENT**

Mayor Kluttz opened the floor to receive public comment.

Mr. Garth Birdsey, 429 Park Avenue, stated that he lives in an older, historic neighborhood with several distressed properties in the area. He thanked the Code Services Division for the work they have done in the neighborhood, and he thanked Council for taking action regarding the Commission. Mr. Birdsey stated he is a Board member of the Park Avenue Redevelopment Corporation, and he attends several other neighborhood meetings where the common denominator is deteriorating housing. He indicated a Housing Commission is imperative to saving the neighborhoods. He pointed out the majority of homes in decline are not owner-occupied.

Mr. Gordon Correll, Edgedale Drive, thanked Council for its hard work, and staff for the update on the Meadowbrook project. He expressed his appreciation to Council for informing the neighborhood of the progress of the work in the area. He thanked Mayor Kluttz for eulogizing Ms. Kay Snider several years ago. Mr. Correll suggested that communities be notified and updated of City projects within the neighborhoods.

Ms. Mimi Howard, 204 South Shaver Street, stated she has lived at her current residence for nearly four years, and has made an attempt to attend as many Council meetings as possible to learn how the Council represents the citizens. She indicated this is the first time she has felt the need to speak about any situation. She stated the City needs to gain control over substandard housing. She pointed out Council gives a lot of praise to the Police and Fire Departments, but their job is much harder when they have to go into a deteriorated home. She noted Mr. Chris Branham is doing a wonderful job, but she feels there should be stringent enforcement behind his decisions. Ms. Howard stated she appreciates Council's efforts regarding youth literacy, and noted literacy could be difficult for a child living in less than favorable situations.

Ms. Greta Connor, Sedgfield Acres, stated she does not live in a home or neighborhood that is in need of repair, but does understand that Rome was not built in a day, and thanked Council for all it has done. She noted she has served on the Community Appearance Commission and the Neighborhood Leader's Alliance, and the members are getting anxious. She asked Council to let them know that something is being done to help them.

Mr. Clyde Overcash stated the City's recycling program at 20% is a failure, and he indicated recyclables are being sent to the landfill and are not being recycled. He stated he spoke to the truck driver picking up recyclables, who told him that all of the cardboard set out by downtown merchants is taken to the landfill. He stated that he sees people pick up the cardboard, and suggested the City contract with someone who would like to have it. He suggested a recycling station be located downtown where merchants can take their recyclables.

Ms. Barbara Perry, 131 West Bank Street, thanked Council for supporting the Community Appearance Commission (CAC) throughout the years. She stated that several people in attendance have been working on the problem of deteriorating housing. She pointed out that at a recent meeting the CAC and Neighborhood Leaders Alliance began working on a

partnership with the United Way to restore the community one block at a time. She indicated the CAC has applied for a grant jointly with the City and United Way that will provide an opportunity to work on the exterior and yards of deteriorated homes. She stated she hopes the Housing Commission will be a support service for Mr. Branham because he works very hard. She thanked Council for taking the steps on behalf of those that have been working on this issue a long time.

Mr. Carl Peters, 424 Park Avenue, thanked Council for its vote today. He stated he lives in a neighborhood that faces challenges, and Mr. Chris Branham, Code Services Manager, is doing a good job. He indicated the interim rental inspection will be critical to cleaning the neighborhoods, and he feels families should not be subjected to living in deteriorating conditions. Mr. Peters expressed concern with landlord issues in the neighborhoods, and stated he feels the City needs a Housing Commission.

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

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

(a) United Way Day of Caring

City Manager David Treme stated many City employees volunteered to participate in the United Way Day of Caring held September 16, 2010. He pointed out this year's campaign chairman is Mr. Zack Kyle, Human Resources Director, who is assisted by Mr. Doug Paris, Assistant City Manager, and Police Chief Rory Collins. Mr. Treme noted the goal for this year is \$64,000. Mr. Treme pointed out that City employees average over \$131 per capita in giving, and the City leads the public sector in donations given by employees. He encouraged each department to collect for the United Way, noting the United Way is a helpful resource for community.

(b) Offer to Purchase Real Estate – Arlington Street

City Manager David Treme indicated staff received an offer from MFW Associates to purchase a portion of real estate identified as Tax Map and Parcel 019 516 located on South Arlington Street in the amount of \$164,874.50. He stated the City has worked with the owners of this property for several years, and pointed out the make-up of the property has most likely caused it not to be developed. He indicated that an appraisal for the property has been completed.

Mr. Joe Morris, Community Planning Services Director, displayed an aerial photograph of the property indicating its location extending from East Innes Street to South Arlington Street, behind Bojangles Restaurant. He stated the majority of the property is located in a floodway, and noted an adjacent property is also City-owned. He indicated both properties have road frontage, and could be combined to create a single parcel.

Mr. Morris indicated the developer proposes to remove the existing Bojangles Restaurant and reconstruct it, to be parallel to Arlington Street. He pointed out the acquisition of the additional land would allow Bojangles to create a back access to a proposed driveway that could be constructed in the future if a bridge is built across Town Creek. He stated the proposed alignment will eliminate driveway access at the corner of East Innes, alleviate congestion on Arlington Street, and provide interior access to future development of the property. He noted the buyer's level of investment could be as much as \$950,000, could employ 30-35 employees, possibly generate \$2,000,000 in annual sales, and pay \$5,000-\$6,000 per year in property tax. He indicated the buyer is willing and available to move quickly on the land purchase, and the sale of the property would be subject to the upset bid process.

Mr. Treme stated the entire parcel is valued at \$446,056 and the portion of the parcel under consideration was appraised at \$279,000. He indicated he thought the property was worth \$180,000-\$190,000, but realized the benefits of the development would be worth consideration for the offered price. He recommended Council accept the offer and advertise for upset bids.

Councilman Woodson stated he supports accepting the offer. He indicated the realignment of the restaurant would be great, and the City would receive tax revenue from the property.

Councilman Miller indicated he supports accepting the offer, and asked where the funds received will be allocated.

Mr. Treme stated the funds would be allocated to the General Fund as income, and could be used for capital projects or accrue in the Fund Balance in order to fund the budget.

Councilman Kennedy stated he supports accepting the offer with the upset bid process. He commented that rebuilding would retain and create jobs in the community.

Mayor Pro Tem Blackwell indicated she also supports the offer, noting that an occupied structure will be retained along the Eastern Gateway.

Mayor Kluttz stated she agrees with the recommendation, and thinks during these economic times it would be exciting to see progress in that area.

Thereupon, Mr. Miller made a **motion** to accept an offer from MFW Associates to purchase a portion of Tax Map 019 Parcel 516 in the amount of \$164,874.50, and authorize the advertisement for upset bids. Mr. Woodson seconded the motion. Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

(c) Update on Fibrant Broadband Fees and Services

Mr. John Sofley, Management Services Director, Mr. Len Clark, Fibrant Sales and Marketing Manager, and Mr. Mike Crowell, Director of Broadband Services, gave Council an update regarding Fibrant broadband fees and services. Mr. Clark indicated the launch of Fibrant

is at a very significant phase. He explained Fibrant's channel line-up, and the television, telephone, and internet packages available for purchase. Mr. Clark outlined the Fibrant channel summary:

- Firststep – 26 channels and two set-top boxes
- Essential – 126 channels, a DVR, and a set-top box
- DeLuxe – 280 channels including 60 High Definition channels
- Classic – 295 channels including NFL Redzone
- Brilliant – all of the above plus any one (1) Premium Pack
- All-In – all of the above plus all Premium Packs

Mr. Clark indicated the internet service is the fastest in North Carolina. Mr. Clark introduced the Fibrant website, [www.myfibrant.com](http://www.myfibrant.com), and read emails from citizens who are testing Fibrant and commended the set-up of the site and the speed of the service.

Mr. Sofley presented Council with an Ordinance setting rates for each service Mr. Clark mentioned. He indicated in order to move forward Council needs to approve the rates listed for various service levels and options. He stated the Ordinance states video-on-demand movies, pay-per-view events, and other premium services will have their price based on market price and contractual demands as determined by the Fibrant Marketing and Sales Manager.

Mr. Sofley stated the current utility late fee is 10% with a cap of \$20.00, and the Ordinance amendment will adjust the fee to 1.5% per month with no cap, providing a uniform fee for all services.

Mr. Sofley indicated the Ordinance allows the Management Services Director to review the Federal Universal Service Fund rate quarterly as required by the Federal Communications Commission (FCC), and authorizes the Management Services Director to establish a rate to be used by the City.

Mr. Sofley indicated internet and telephone services for business may require specialized equipment and services. He indicated the Ordinance will allow staff to set rates for equipment and give flexibility if a large customer is added to the customer base.

Mr. Sofley noted the Ordinance will be effective September 24, 2010, and indicated any bill mailed after September 24 will be subject to the changes in the Ordinance.

Councilman Miller asked how the public will be made aware of the service. Mr. Clark indicated there are various plans including *Salisbury Post* inserts.

Councilman Kennedy stated he is excited Fibrant is near launch, and Council has been working on this project for several years.

Mayor Pro Tem Blackwell thanked staff for their work with Fibrant. She stated she understands meeting with Council members two at a time and listening to their input could be arduous, but staff did an excellent job following up with Council's requests.

Mayor Kluttz stated she is excited the project is near the launch point. She thanked everyone who worked on the project.

Thereupon, Mr. Woodson made a **motion** to adopt an Ordinance amending Appendix F and Section 25 of the code of Ordinances of the City of Salisbury, North Carolina to add additional fees and charges for Fibrant Broadband Services and revise the Utility penalties to 1.5%. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

Mr. Treme thanked Council for their support of the Fibrant project. He indicated he thinks Fibrant will make a difference in the future economic vitality of the community.

Mr. Miller stated improving service, and allowing the funds to stay in the community is an added benefit of the project.

### **COUNCILMAN KENNEDY COMMENTS**

Councilman Kennedy thanked Ms. Janet Gapen, Senior Planner, for the data regarding fair housing. He indicated he would like data regarding owner-occupied versus tenant-occupied homes to be discussed at the public hearing regarding the Analysis of the Impediments to Fair Housing. He also thanked Ms. Gapen for the information in the CAPER report which referred to sidewalks on Partee Street. He noted he would like to know when the sidewalks on Old Wilkesboro Road can be addressed, because Council has received a petition requesting the sidewalks.

### **MAYOR'S ANNOUNCEMENTS**

(a) La Fiesta de Rowan 2010

Mayor Kluttz announced La Fiesta de Rowan 2010 will be held Saturday, September 25, 2010 from 11:00 a.m. until 4:00 p.m. at the Salisbury Civic Center, 315 Martin Luther King, Jr. Avenue.

(b) Brick Street Concert Series

Mayor Kluttz announced The Brick Street Concert Series on Fisher Street will present General Johnson and Chairmen of the Board Thursday, September 30, 2010.

(c) Mayor's Spirit Luncheon

Mayor Kluttz announced the Mayor's Spirit Luncheon will be held Tuesday, October 5, 2010 at 12:00 noon in Council Chambers at City Hall, 217 South Main Street.

(d) Fall Spruce-Up Week

Mayor Kluttz announced the Community Appearance Commission and the Public Services Department will sponsor a Fall Spruce-up Week October 18-23, 2010 for all residents within the City limits. The Public Services Department will provide special trash collection service throughout the week. Please call Public Services at (704) 638-5260 to have your appliances and tires without rims picked up. Place additional trash at the curb on your regular collection day. Groups may pick up large bags and gloves for clean-up efforts from the Public Services Department, 529 North Fulton St.

(e) Norvell Children's Theater

Mayor Pro Tem Blackwell announced the Norvell Children's Theater's Youth Theater production of Romeo and Juliet opens this weekend. She reviewed the show times:

- Friday, September 24, 2010 at 7:30 p.m.
- Saturday, September 25, 2010 at 2:30 p.m. and 7:30 p.m.
- Friday, October 1, 2010 at 7:30 p.m.
- Saturday, October 2, 2010 at 2:30 p.m. and 7:30 p.m.

For further information and tickets, contact the Norvell Children's Theater box office at 704-633-5471.

**ADJOURNMENT**

**Motion** to adjourn the meeting was made by Mr. Woodson, seconded by Ms. Blackwell. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 7:23 p.m.

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Susan W. Kluttz, Mayor

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Myra B. Heard, City Clerk