

Salisbury, North Carolina
December 4, 2007

REGULAR MEETING

PRESENT: Mayor Susan W. Kluttz, Presiding; Mayor Pro Tem Paul B. Woodson; Councilmen William (Bill) Burgin, William (Pete) Kennedy, and Mark N. Lewis; City Manager David W. Treme; City Attorney F. Rivers Lawther, Jr.; and City Clerk Myra Heard.

ABSENT: None

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Reverend Dr. Grant Harrison from Soldiers Memorial AME Zion Church.

PLEDGE OF ALLEGIANCE

The Police Honor Guard presented Colors and the Salisbury Police Explorers led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Kluttz recognized all visitors present and thanked Reverend Dr. Harrison, the Police Color Guard, and the Police Explorers for their participation.

ADJOURNMENT

Motion to adjourn the present Council was made by Mr. Woodson, seconded by Mr. Burgin. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

NEW COUNCIL CONVENES

William R. (Bill) Burgin, William R. (Pete) Kennedy, Susan W. Kluttz, Mark N. Lewis, and Paul B. Woodson, Jr., who were elected as City Council members in the November 6, 2007 Regular Municipal Election for a two (2) year term, assembled in the Council Room of City Hall at 4:00 p.m. on December 4, 2007 for the purpose of being inducted into office.

Mr. Jeffrey R. Barger, Rowan County Clerk of Superior Court, administered the oath of office to recently-elected City Council members.

Ms. Kluttz appointed Mr. Kennedy, as longest serving Council member, to serve as Temporary Chairman to preside over the meeting for the purpose of electing a Mayor.

Temporary Chairman Kennedy opened the floor for nominations for the office of Mayor for the City of Salisbury. Mr. Woodson nominated Susan Wear Kluttz for the office of Mayor. Mr. Burgin seconded the nomination. There were no other nominations. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. By unanimous vote of the Council, Susan W. Kluttz was elected Mayor for a two (2) year term beginning December 4, 2007.

The oath of office of Mayor was administered to Susan W. Kluttz by Mr. Jeffrey R. Barger, Clerk of Superior Court.

Mayor Kluttz then opened the floor for nominations for the office of Mayor Pro Tem.

Mr. Burgin nominated Paul B. Woodson, Jr. to serve as Mayor Pro Tem. Mr. Kennedy seconded the nomination. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. By unanimous vote of the Council, Paul B. Woodson, Jr. was elected Mayor Pro Tem for a two (2) year term beginning December 4, 2007.

The oath of office of Mayor Pro Tem was administered to Paul B. Woodson, Jr. by Mr. Jeffrey Barger, Clerk of Superior Court.

Mayor Kluttz then opened the floor to Council to speak and recognize family and friends. Council members extended their gratitude to everyone for their support. Mayor Kluttz commented that she feels there is no higher office than being mayor of a city and she has never been more excited about a term of office. She added that she feels there has never been a more exciting time in the City than right now because of the new initiatives that have been put into place and the people who are dedicated to making Salisbury the best it can be.

ADDITIONS/DELETIONS TO THE AGENDA

Mayor Kluttz stated that the Land Development Ordinance was originally scheduled to be considered at today's meeting, but due to several changes it will be presented at the December 18, 2007 meeting.

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular meeting of November 20, 2007 and the Special meeting of November 29, 2007.

(b) 2008 Council Meeting Schedule

Adopt the 2008 schedule of regular Council meeting dates.

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

PRESENTATION REGARDING SALISBURY-ROWAN UNITED II

Ms. Karen Wilkinson, Public Information Manager, and Mr. Doug Paris, Assistant to the City Manager, presented a review of the Salisbury-Rowan United II Gang Summit held November 29, 2007 at the Civic Center. She stated that those who participated in the welcome for the event included Mayor Susan Kluttz, Rowan County Commission Chairman Arnold Chamberlain, and the Salisbury Police Department Explorers. She noted that Facilitator Warren Miller explained that citizen feedback garnered from the June 14, 2007 Summit helped create the Action Agenda and eight (8) positive youth focus areas that were developed.

Mr. Paris reviewed the eight (8) Action Agenda focus areas and noted the community resources in attendance for each area:

- Schools and School Programs
 - Learn and Earn Early College
 - Nine-Up and Six-Up
 - Success 101 Program from Salisbury High School
- Tutoring and Mentoring
 - Rowan Youth Services Bureau
 - Communities in Schools
 - Salisbury YMCA Achievers
- Jobs and Job Training
 - Rowan Job Link

- Geared Up for Success
- Rowan-Cabarrus Community College
- Law Enforcement Support Programs
 - Salisbury Police Department Crime Stoppers
 - Project SAFE Neighborhoods
 - DARE Program
 - Community Watch Program
- Parenting Classes
 - Adolescent Family Enrichment Council
- Faith-Based Initiatives
 - First Baptist Church
 - Salisbury Christian Fellowship Church
 - First Presbyterian Church
 - Soldiers Memorial AME Zion Church
- Recreational Opportunities
 - Salisbury Parks and Recreation Department
- Community Awareness
 - Project SAFE Neighborhoods Family Day

Mr. Paris stated that these eight (8) areas were identified in the first Summit and the goal of Summit II was to connect the citizens with these resources. He pointed out that Officer Todd Sides, Officer Suad Jakupovic, and Officer J. G. Wilkerson were introduced as the three (3) Salisbury Police Officers who will serve on the newly expanded Police Gang Unit. He added that Knox Middle School Resource Officer Shanita Millsaps was also introduced.

Mr. Paris thanked sponsors Chamberlain Exterminating, Food Lion, F & M Bank and Beaver Brothers Heating and Air for their generous support of the event.

Mayor Klutz thanked Mr. Paris, Ms. Wilkinson, and all staff who dedicated many hours planning the Summit. She commented that she spoke with North Carolina Secretary of Crime Control Bryan Beatty who indicated that he had recognized Salisbury for its outstanding efforts in these initiatives during a recent conference sponsored by the Governor's Crime Commission.

PRESENTATION REGARDING PROJECT SAFE NEIGHBORHOODS HOLIDAY FAMILY DAY

Mr. Henry Diggs, Project SAFE Neighborhood Intervention Team Facilitator, and Ms. Jackie Harris, Associate Director of the Rowan County United Way and Chairman of the Youth Intervention Team for Project SAFE Neighborhoods, reviewed the Project SAFE Neighborhoods Holiday Family Day.

Mr. Diggs stated that this is Project SAFE's second Family Day event scheduled for December 8, 2007 from 9:00 a.m. until 1:00 p.m. at the J. F. Hurley YMCA located at

828 Jake Alexander Boulevard. He noted that there were over one thousand (1,000) citizens who participated in the first event and he is very excited about this second event.

Ms. Harris extended thanks to the Salisbury Transit Division for providing free bus transportation to citizens who attend the event. She pointed out that the event will include music, free puppet shows with anti-drug messages, anti-gun violence workshops, free pictures taken with Santa, and numerous children's activities and games. She added that lunch will be served to citizens who attend and goodie bags will be given to the first five hundred (500) attendees.

Ms. Harris stated that the Family Day event focuses on the family unit and children kindergarten through fifth grade. She indicated that there will be two (2) workshops for parents. One will focus on how to help children succeed in school and the second will help parents identify preventive measures to keep their children from becoming involved in gangs.

Mr. Diggs stated that Project SAFE is grateful to Rowan County United Way for sponsoring and partnering with them on this event and thanked the City Council for their support. He indicated that this initiative is to improve the quality of life for all residents of Salisbury and Rowan County by employing a comprehensive City-wide strategy to reduce overall violence.

Mayor Kluttz thanked United Way and everyone involved in this wonderful event to bring families together.

PUBLIC HEARING – JAKE ALEXANDER BOULEVARD AND MORLAN PARK ROAD SAFETY IMPROVEMENTS

Ms. Wendy Brindle, Traffic Engineer, stated that at the November 20, 2007 meeting, staff presented recommendations for safety improvements at Jake Alexander Boulevard and Morlan Park Road. She added that Council requested a public hearing be scheduled to allow the public to comment on the recommendations.

Ms. Brindle stated that Jake Alexander Boulevard is considered a major thoroughfare that carries approximately seventeen thousand (17,000) vehicles per day, and that Morlan Park Road carries approximately one thousand six hundred (1,600) vehicles per day. She indicated that approximately sixty (60) percent of traffic entering Jake Alexander Boulevard from Morlan Park Road is classified as cut-through traffic and noted that over a four (4) year period there have been seventeen (17) accidents at this intersection.

Ms. Brindle reviewed the options for improvement evaluated by staff and the North Carolina Department of Transportation (NCDOT):

- Intersection Realignment
 - Improve the angle at the intersections

- Would not eliminate the conflicts involved in crossing the five (5) lane section of Jake Alexander Boulevard.
- Significantly alter adjacent property
- Traffic Signal
 - Address the accident trend
 - Improve safety for one thousand six hundred (1,600) vehicles per day that use Morlan Park Road
 - Increase delays for seventeen thousand (17,000) vehicles per day that use Jake Alexander Boulevard
 - Increase rear-end collisions
 - Require costly installation of railroad preemption
- Full Median
 - Eliminate the prevalent accident trend
 - Serve to benefit Morlan Park Road by reducing the cut-through traffic
 - Benefit those who make left turn at Faith Road and Jake Alexander Boulevard by installation of a protected permissive left turn
 - City and NCDOT would work on a plan to provide a median cutter depressed area large enough for a bicycle to cross Jake Alexander Boulevard.

Ms. Brindle reviewed two different types of medians to consider:

- Full Median
 - Prohibits all left turns and straight through movements from Morlan Park Road
 - Prohibits all left turn movements from Jake Alexander Boulevard
- Directional Median or Left-Over Median
 - Would allow vehicles to make a left turn from Jake Alexander Boulevard on to Morlan Park Road
 - Morlan Park Road would become a right turn only situation
 - Cost of approximately \$50,000
 - Supported by NCDOT

Ms. Brindle indicated that she had spoken with one (1) property owner who is concerned about the possible length of the median and its obstruction of their driveway. She stated that she cannot give a definite answer regarding the length because the median has not yet been designed. She commented that she estimates the length to be a minimum of two hundred (200) feet. She indicated that the property owner's driveway is over three hundred (300) feet from the intersection and she cannot determine if the median will extend past the driveway until it is designed.

Ms. Brindle stated that staff and NCDOT recommend the installation of the directional median with traffic signal modifications at Faith Road and Jake Alexander Boulevard. She indicated that citizens have additional concerns regarding sight distance and she reviewed photographs depicting the sight distance from different angles. She

pointed out that the Salisbury Landscape Operations Manager has indicated that they trim the vegetation at this intersection multiple times during the year.

Councilman Burgin asked if the majority of the accidents were from cars turning left from Morlan Park Road onto Jake Alexander Boulevard and if there was an exact number for this specific type. Ms. Brindle responded that she did not have the exact figure. Mr. Burgin stated that the directional median would help the left turn issues, but he is not sure it would help the other movements. He asked if this issue was raised by a citizen who had an accident at the intersection. Ms. Brindle stated that staff has received complaints over the years, as well as a petition requesting a signal light at the intersection. She added that in recent years staff began noticing an accident trend for this area.

Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, regarding proposed safety improvements to the Jake Alexander Boulevard and Morlan Park Road intersection.

Mr. Eddie Hampton, 1301 Overhill Drive, stated that he owns houses at the intersection of Morlan Park Road and Jake Alexander Boulevard. He indicated that he met with people who are renting his homes and they are not happy about a median because it will change the way they go in and out and may restrict the driveways. He noted that he is very much against the median and feels a lot of money will be spent on something that will later become a problem.

Mr. Dan Wagoner, 321 Camelot Drive, Mr. Hampton's property manager, stated that he agrees that this can be a dangerous intersection but feels the median is excessive. He also agrees that seventeen (17) accidents over a four (4) year period is cause for concern, but eliminating the cross over is excessive.

Mr. Jerry Shelby, stated that he lives in the Morlan Park neighborhood and questions the problems that will be created by installing the median. He pointed out that the photographs Ms. Brindle displayed were taken in the winter but in summer when the trees are blooming the sight distance is limited. Mr. Shelby stated that the Morlan Park neighborhood was divided when Jake Alexander Boulevard was installed and installation of a median will cut off the north and south end of the neighborhood. He indicated that cars are looking for the shortest route and a median will only move the traffic into the neighborhood near Morlan Park, which is not a fenced or closed park. He stated that he feels it would be safer to improve the sight distance by cutting the trees along the road and in ditches and moving the road signs. He concluded by stating that he feels a traffic light would be the best solution.

There being no one else to speak to Council, Mayor Kluttz closed the public hearing.

Mr. Burgin stated that he appreciates what staff is trying to do to help with the intersection but he is not satisfied that a median would be the best answer. He added that

the new Land Development Ordinance works hard to create connectivity and he feels eliminating traffic from turning left onto Jake Alexander Boulevard would be burdensome. He noted that he feels installing a median is a radical step for the ratio of cars that travel these streets and the number of accidents that occur at the intersection. He indicated that he feels NCDOT is recommending the median because it is the least expensive option. Mr. Burgin stated that he thinks a traffic light should be installed, and in absence of a traffic light, the intersection should be left alone. He added that a median would cut down on the number of accidents but he does not feel this is the best way to address the issue.

Mayor Pro Tem Woodson stated that he feels the residents who use the road know more about the area and he feels the best suggestion is to cut the bushes to improve sight distance at the intersection. He agreed with Mr. Burgin that a stoplight would be the best solution, but at an installation cost of \$250,000, cutting down trees and bushes would be the first option. He indicated that he feels for the people who live in the area and would have to take longer routes to get to where they live.

Councilman Kennedy stated that he cannot see the necessity for someone who lives on Morlan Park Road to have to travel to Faith Road to get to Jake Alexander Boulevard and that the citizens who live in the area should not be punished. He indicated that he feels a traffic signal is what is needed at the intersection.

Councilman Lewis stated that a traffic signal would be a good option if NCDOT would pay the \$250,000 cost, but he is not sure they would participate in the expense. He stated that it appears staff is indicating that the number of traffic accidents at the intersection does not warrant a traffic signal yet it meets the numerical value to warrant some type of treatment.

Ms. Brindle stated that the Manual of Uniform Traffic Control Devices (MUTCD) has standards for traffic signals and five (5) or more accidents in a twelve (12) month period is considered a warrant for looking at alternatives for the intersection. She added that the MUTCD also states that one (1) warrant does not mean a traffic signal should be installed, but other alternatives to correct the accident trend should be explored. She indicated that Morlan Park Road does not necessarily have the volume to create a warrant but it does have an accident trend which generates one (1) warrant for a traffic signal.

Mr. Burgin stated that the report to Council indicates there are eight (8) warrants for traffic lights and this intersection meets two (2) of the warrants. He asked about the other warrant. Ms. Brindle answered that there is a four (4) hour traffic volume warrant which is generated if there are four (4) hours of traffic that exceed the minimum required on the side street and the main street. Mr. Burgin indicated that this is now a volume issue and a median would inhibit traffic volume. He stated that he feels the traffic volume and accidents justify the need for a traffic signal but he feels the cost of the signal may make it prohibitive. He added that the Jake Alexander Boulevard loop was needed but this area should not be penalized because of its addition.

City Manager David Treme stated that the City usually attempts graduated solutions and one item he feels should be addressed is the issue of visibility. He suggested that the City take measures to improve the sight visibility and then decide if there is a need to go to a higher solution. He stated that the City may have to install a traffic signal at a later date but he feels other options may be viable before getting to that point. He commented that after measures are taken to improve visibility the situation could be evaluated for six (6) to twelve (12) months.

Councilman Burgin stated that it appears that the stop bar has been set quite far from the intersection to accommodate a left turn. He asked if reflectors could be installed in a wider turn to allow the stop bar to be moved forward. Mr. Treme stated that this is an option that can be considered before moving to other alternatives.

Mr. Burgin thanked staff for their presentation of options as requested by Council.

Mayor Kluttz asked if there was a consensus to table the issue. Mr. Treme stated that with Council's permission, staff will implement the ground improvement options, evaluate the results and allow Council to make a decision at a later date. Mayor Kluttz asked what the time frame would be for this evaluation. Mr. Treme stated that the road maintenance will start immediately and the vegetation will be cut back in the spring of 2008 as the trees and bushes start to bloom. He indicated that improvements should be made in the next ninety (90) to one hundred twenty (120) days. Mayor Kluttz suggested a nine (9) month period to make the improvements and report back to Council.

ZONING MAP AMENDMENT Z-14-07 ARLINGTON PARTNERS

(a) Mr. Preston Mitchell, Senior Planner, stated that zoning map amendment Z-14-07 is a petition from Arlington Partners to rezone two (2) parcels from B-4 Medium Commercial to B-16 Heavy Commercial. He stated that in reviewing the petition staff identified five (5) additional parcels it felt should be included.

Mr. Mitchell then reviewed the two (2) districts:

- Highway Business (B-4)
 - Residential, Office, Commercial
 - Typically associated with uses requiring high traffic volumes or located along major thoroughfares
- General Business (B-6)
 - Basically same as B-4, but permits additional "heavier" commercial uses
 - Major auto repair
 - Light Manufacturing
 - Mini-Warehousing
 - Wholesaling

Mr. Mitchell reviewed an aerial map of the parcels which include two undeveloped parcels located along Freeland Drive; the Spectra Group development site; the Cracker Barrel site; and the Blue Bay Restaurant site. Mr. Mitchell reviewed a zoning map and pointed out that the areas are currently zoned B-4 with a small area in the Spectra Development parcel zoned M-1 Light Industrial. He added that the intersection of Arlington Street and East Innes Street, including Wal-Mart, are zoned B-6 and the Town Creek Commons Mall area across East Innes Street is zoned B-7 Limited Business.

Mr. Mitchell stated that the applicable goals and objectives in the 2020 Strategic and Comprehensive Plan are those that address the East Innes Street Corridor. He reviewed aerial photographs of the site and surrounding areas and noted that they do not encroach into the East Innes Street Corridor Gateway area. Mr. Mitchell indicated that the zoning request is not inconsistent with the City's 2020 Strategic and Comprehensive Plan.

Mr. Mitchell then reviewed staff and Planning Board recommendations:

Staff Recommendations

- Recommend petition is consistent with City's adopted growth and comprehensive plans and recommend approval based on:
 - Existing Zoning and Development patterns
 - Frontage concerns along East Innes Street minimized based on geographic location of site
 - Viewshed concerns between Downtown and Dunns Mountain minimized based on topographic features relative to interstate height
 - Redevelopment of greyfield site

Planning Board Recommendations

- At the November 13, 2007 meeting of the Salisbury Planning Board, the Board voted unanimously to recommend approval of the zoning request, including the additional five (5) parcels, and stated that they found and determined that rezoning petition Z-14-07 would be consistent with the goals, objectives, and policies of the 2000 Strategic Growth Plan and the Vision 2020 Comprehensive Plan and recommended approval.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, regarding zoning map amendment Z-14-07.

Mr. Ed Zodian, 1076 West 4th Street, Winston-Salem, NC, stated that the rezoning request is from medium to heavier commercial zoning and is consistent with adjacent land uses and zoning. He added that the surrounding property owners support the rezoning petition. He pointed out that in terms of zoning the entire area will remain commercial. He explained that the properties do not face East Innes Street and will not encroach into the East Innes Street Gateway overlay district. Mr. Zodian stated that the zoning will allow additional development to occur in this greyfield redevelopment area. He requested that Council approve the petition.

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

Mayor Pro Tem Woodson stated that this rezoning petition makes sense and he is happy to see the redevelopment.

Mr. Woodson stated that the City Council hereby finds and determines that adoption of an Ordinance to rezone properties as described herein is consistent with the goals, objectives, and polices of the Strategic Growth Plan and the Vision 2020 Comprehensive Plan and that adoption of the Ordinance is reasonable and in the public interest. Thereupon, Mr. Woodson made a **motion** to adopt an Ordinance amending the official zoning map of the City of Salisbury, North Carolina, by rezoning approximately 14.4 acres, identified as tax map and parcels 059-07902, 059-098, 059-099, 059A082, 059A074, 059A083, and 059A081, from B-4 (Highway Business) district and M-1 (Light Industrial) district to B-6 (General Business) district. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING APPROXIMATELY 14.4 ACRES, IDENTIFIED AS TAX MAP AND PARCELS 059-07902, 059-098, 059-099, 059A082, 059A074, 059A083, AND 059A081, FROM B-4 (HIGHWAY BUSINESS) DISTRICT AND M-1 (LIGHT INDUSTRIAL) DISTRICT TO B-6 (GENERAL BUSINESS) DISTRICT.

(The above Ordinance is recorded in full in Ordinance Book No. 21, at Page Nos. 204-205, and is known as Ordinance No. 2007-68.)

GROUP DEVELOPMENT SITE PLAN G-05-94 CHICK-FIL-A

(a) Mr. Dan Mikkelson, Land Management and Community Development Director, indicated that group development G-05-94 came to Council at its November 20, 2007 meeting but the Petitioner requested a rehearing before the Planning Board and the item was postponed. He stated that the request concerns the Chick-Fil-A located at the corner of East Innes Street and Arlington Street and he reviewed aerial and ground photographs of the site. Mr. Mikkelson pointed out two (2) existing dumpsters located side by side at the back of the parking lot and explained that the proposal is to move one of the dumpsters to a different location which would reduce the size of the existing dumpster and screening wall. He indicated that the current screening wall blocks sight distance for cars exiting the driveway as well as for cars approaching from Arlington who are unable to see around it. Mr. Mikkelson noted on the photograph where the proposed screening wall will end and how much of the existing dumpster will be relocated. He commented that with the proposed change traffic will have a better view. He stated that a North Carolina Department of Transportation (NCDOT) representative estimated the current sight distance at approximately seventy-five (75) feet and with the proposed changes it

will increase to approximately two hundred twenty-five (225) feet, which is a big improvement.

Mr. Mikkelson stated that staff originally recommended both dumpsters be moved and explained that when staff sent the applicant a notice regarding the Planning Board meeting they inadvertently listed the wrong date of the meeting and the applicant was not present. He commented that the Planning Board perceived the applicant's absence as an unwillingness to discuss the recommendations and recommended denial. When the error was noted and the Planning Board reheard the case with the applicant present the Planning Board voted unanimously to recommend approval of the site plan.

(b) Mayor Kluttz opened the floor to receive public comment regarding site plan G-05-94.

Mr. Beau Hawkins, 1411 Mill Wheel Drive, stated that Chick-Fil-A's first concern is for the safety of its customers and he recognizes the current location of the dumpster is not safe. He noted that as the construction on I-85 has improved, the business has been blessed with overwhelming business and this issue needs to be addressed. He stated that the distance from the Chick-Fil-A exit to Arlington Street is one hundred seventy (170) feet and the estimate for the proposal increases the sight distance to two hundred twenty-five (225) feet. He commented that he would like to leave the dumpster pad in its existing location because it is emptied daily during the lunch hour and it would create more of a problem by blocking cars attempting to exit the parking lot. He explained that the cardboard dumpster will be relocated to the side of the parking lot because it is emptied twice a week at early morning hours. He thanked Council for allowing him to revisit the issue.

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

Mayor Kluttz apologized to Mr. Hawkins for the miscommunication regarding the Planning Board meeting. She thanked Mr. Hawkins for all that Chick-Fil-A does for the community and recognizing this as a need.

(c) Thereupon, Mr. Woodson made a **motion** to approve group development site G-05-94 for the modification and relocation for a portion of the existing dumpster structure located at 902 East Innes Street. Mr. Lewis seconded the motion. Councilman Burgin thanked Chick-Fil-A for their concern to improve a bad situation and expressed his admiration for the company. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

GROUP DEVELOPMENT G-15-07 CITY OF SALISBURY RADIO SHOP

(a) Mr. Dan Mikkelson, Land Management and Community Development Director, stated that the applicant for group development site plan G-15-07 is the City of Salisbury

and noted that staff and the Planning Board have treated this as it would any other applicant during the review process.

Mr. Mikkelson reviewed the site in question and noted it houses the City's Public Services located between West Franklin Street, West Lafayette Street, North Church Street and North Fulton Street. He displayed an aerial photograph of the site and noted that the proposed addition to the site plan is to construct a fifty (50) foot by fifty (50) foot radio shop. He pointed out a back gate with an entrance to West Lafayette Street and commented that the proposed building will have doors that face West Lafayette Street as well as the existing service area off of West Franklin Street. He added that the proposed building will have a façade that faces West Lafayette across the street from several residences.

Mr. Mikkelson reviewed the original elevations submitted for the addition and indicated that it was proposed to be inexpensive with metal siding. He stated that when staff reviewed the proposal it recommended that the architectural standards from the proposed Land Development Ordinance be used as a guide for a façade that would be consistent with the Vision 2020 Plan. He indicated that the Planning Board recommended denial of the group development site plan based on the original elevations submitted for the building.

Mr. Mikkelson stated that staff also recommended a sidewalk be constructed on the campus and proposed three hundred (300) feet of sidewalk. Staff felt that there should be flexibility as to the sidewalk's location but that the project should include three hundred (300) feet located in a useful location.

Mr. Mikkelson indicated that the applicant submitted a revised façade using the Land Development Ordinance architectural standards as a guideline. The revised façade will be brick on the Lafayette Street side and each wall will contain windows so that there would not be a blank wall exceeding twenty (20) feet. Mr. Mikkelson informed Council that the Planning Board has not had an opportunity to review the revised façade and so the Planning Board recommended denial but the denial was based on the original façade submitted. He stated that staff concurs that the revised façade would be consistent with the Vision 2020 Plan.

(b) Mayor Kluttz opened the floor to receive public comment regarding site plan G-15-07.

Mr. John Sofley, Management Services Director, stated that staff has worked on this project for some time and the original design was based on the current ordinance. He added that staff was trying to construct the building in the most cost effective manner. He noted that staff revised the plan and indicated that the cost will be greater than the original plan but he will find a way to cover the cost if Council is willing to proceed.

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

Councilman Burgin thanked staff for their second effort to look at the appearance of the building. He commented that it is important for the City to lead the way in construction standards and although the City has to watch its costs, the City's expectations of the public should also be matched by its own efforts.

(c) Thereupon, Mr. Lewis made a **motion** to approve group development site plan G-15-07 for the construction of a twenty-five hundred (2,500) square foot facility at 240 West Franklin Street subject to the installation of a five (5) foot sidewalk along West Lafayette Street and that construction meet the design standards of the Land Development Ordinance. Mr. Lewis then amended his motion to state a five (5) foot sidewalk along West Lafayette Street unless a more appropriate place on the campus is selected by staff. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

2007 COMPREHENSIVE ANNUAL FINANCIAL REPORT PRESENTATION

Mr. Chris Costner, Martin Starnes and Associates, CPAs, addressed Council regarding the 2007 Comprehensive Annual Financial Report (CAFR) and explained the 2006-2007 City of Salisbury independent audit process and audit report:

Audit Highlights

- Performed by Martin Starnes & Associates, CPAs
- Unqualified (clean) opinion
- No findings or questioned costs
- No material internal control weakness identified

General Fund Summary

- 2006
 - Revenues - \$29,587,288
 - Expenditures - \$29,187,345
- 2007
 - Revenues - \$30,886,651
 - Expenditures - \$31,198,285

Fund Balance

- Serves as a measure of the City's financial resources available
 - Assets minus Liabilities equals Fund Balance
- Three (3) classifications:
 - Reserved
 - Unreserved Designated (available)
 - Unreserved Undesignated (available)

Total Fund Balance – General Fund

- 2005 - \$6,784,420
- 2006 - \$7,184,363
- 2007 - \$6,872,729

Fund Balance Position – General Fund

	<u>2007</u>	<u>2006</u>
• Total Fund Balance	\$6,872,729	\$7,184,363
• Required Reservations	<u>- 3,334,316</u>	<u>- 3,873,682</u>
• Unreserved/Undesignated	\$3,538,413	\$3,310,681

Unreserved/Undesignated Fund Balance as a percent of expenditures – General Fund:

- 2005 – 12.01%
- 2006 – 11.34%
- 2007 – 11.34%

Top three (3) Revenues – General Fund

- Property tax – 50%
- Charges for Services – 18%
- Sales Tax – 16%
- Other Revenues (Intergovernmental, Investment income, Miscellaneous revenue) – 16%

Sales Tax

- 2005 - \$4,306,693
- 2006 - \$4,755,926
- 2007 - \$4,928,404

Top three (3) Expenditures – General Fund

- Public Safety – 39%
- Other Expenditures – 25%
- General Government – 22%
- Transportation – 14%

Enterprise Funds – Operating Income (Loss) Budgetary Basis for 2007:

	Water & Sewer	Transit
Total Revenues	\$19,588,590	\$606,475
Expenses		
Operating	12,510,610	962,718
Debt Service	5,219,930	--
Capital Outlay	<u>464,730</u>	<u>8,000</u>
Total Expenses	<u>18,195,270</u>	<u>970,718</u>
Revenues for Expenditures	1,393,320	(364,243)
Transfers (to) from other funds	<u>(550,000)</u>	<u>358,569</u>
New Income	\$843,320	\$(5,674)

City Manager David Treme noted that earlier this year Council agreed to fund the completion of the Police Department expansion and Fire Station 4 from fund balance. He stated that initial estimates were \$600,000 - \$700,000 of fund balance would be needed for the projects but only \$311,000 was needed. He commented that the facilities are now complete and free from debt.

Mr. Treme stated that for the past two (2) years there has been a profit in the Utility enterprise fund. He noted there has been an increase in sales and customers and congratulated the Management Services and Utilities Management team for improving the performance of the Utility.

Councilman Lewis commented that expenditures did not exceed the budget and he feels this shows significant expense control by the Management Team.

Mayor Kluttz thanked Mr. Costner for his report and thanked the Finance Department for their work.

COUNCIL LIAISON APPOINTMENTS TO COMMUNITY GROUPS

Mayor Kluttz suggested the following appointments:

- (a) Rowan County Tourism Authority – Councilman Lewis
- (b) Centralina Council of Governments – Councilman Burgin
- (c) Salisbury-Rowan Community Action Council – Councilman Kennedy
- (d) Economic Development Commission – Councilman Burgin
- (e) Rufty-Holmes Senior Center – Councilman Kennedy
- (f) Downtown Salisbury, Inc. – Councilman Lewis
- (g) Fireman’s Relief Fund Board – Mayor Pro Tem Woodson
- (h) Parks & Recreation Advisory Board – Mayor Pro Tem Woodson
- (i) Salisbury-Rowan Human Relations Council – Councilman Kennedy
- (j) Community Appearance Commission – Councilman Lewis
- (k) Tree Board – Mayor Kluttz
- (l) Sustainable Community Development Commission – Mayor Kluttz
- (m) Rowan County Air Quality Commission – Mayor Kluttz
- (n) Metropolitan Planning Organization – Mayor Pro Tem Woodson/
Alternate Councilman Lewis
- (o) Dangerous Dog Appeal Board – Councilman Burgin

By consensus, Council agreed to the liaison appointments.

COMMENTS FROM THE CITY MANAGER

(a) Chamber of Commerce Award

City Manager David Treme informed Council that for the first time a City team participated in the Chamber of Commerce membership drive. He stated that the team finished in first place with the highest dollar amount raised. The team consisted of Mr. Treme, Mr. John Sofley, Mr. Matt Bernhardt, Ms. Gail Elder White, Ms. Deb Young, and Mr. Wade Furches. Mr. Treme stated that the team received a \$500 check from the Chamber and he indicated they would like to present the check to Sergeant Rodney Harris for the Salisbury Police Explorers. He noted that the Explorers are in need of uniforms and the team felt this would be an excellent use of the money.

(b) Letter from China Grove

City Manager David Treme indicated that he has received a letter from the Town of China Grove regarding consideration of its water bill. He stated that he will meet with the Mayor regarding this letter.

(c) Congratulations to Council

City Manager David Treme congratulated Council for their recent re-election. He pledged staff's support in assisting Council accomplish the goals and outcomes it feels are important for the community.

Mayor Kluttz congratulated the City Team for their Chamber of Commerce award and thanked them for donating it to the Police Explorers program. She noted that Sgt. Harris has done an excellent job and indicated that if there are others who are interested in the Police Explorers, Council would like to see the program expanded and will find a way to meet the needs of the program.

MAYOR'S ANNOUNCEMENTS

(a) Project SAFE Neighborhood Holiday Family Day

Mayor Kluttz announced that Project SAFE Neighborhood Holiday Family Day will be held Saturday, December 8, 2007 from 9:00 a.m. until 1:00 p.m. The event is sponsored by the Rowan County United Way and will be held at the J.F. Hurley YMCA located at 828 Jake Alexander Boulevard.

(b) Interdenominational Community Choir Christmas Concert

Mayor Kluttz announced that the Interdenominational Community Choir will present, "The Glory of Christmas", the 5th in a series of community concerts, Sunday,

December 9, 2007 at 4:00 p.m. The concert will be held at St. Luke's Episcopal Church located at 131 West Council Street.

(c) City Employee Christmas Luncheon

Mayor Kluttz announced that the annual Christmas luncheon for City employees will be held Wednesday, December 12, 2007 from 11:30 a.m. until 1:30 p.m. at the Salisbury Civic Center.

(d) City Park Tree Lighting Ceremony

Mayor Kluttz announced that the City Park tree lighting ceremony will be held Friday, December 7, 2007 from 6:00 p.m. until 6:30 p.m. at City Park.

(e) LandTrust Tree Lighting

Mayor Kluttz indicated that the LandTrust tree lighting took place Monday December 3, 2007 at the Salisbury Greenway. She complimented Mr. Danny Williams, President; Mr. Jason Walser, Director; and Ms. Barbara Lawther, Development Director, who arranged the ceremony. She noted this was the 5th year of the tree lighting ceremony and children made Christmas ornaments that were edible for animals.

COUNCILMAN KENNEDY – BOUNDARY STREET RENAMING

Councilman Kennedy indicated that Council held a public hearing at its last meeting regarding renaming Boundary Street to Martin Luther King, Jr. Avenue. He noted that there were approximately twenty (20) people in the audience who support the change with two (2) opposed. He stated that one of the people opposed to the name change presented a petition containing approximately twenty (20) names of individuals who were also opposed. He stated that he has visited with many of the people who signed the petition and many were senior citizens whose main concern was going to the Post Office to change their address. He commented that the City, County and the Post Office will assist with the address change.

Director of Land Management and Development Dan Mikkelson stated that between the City, County and the Post Office there is an automated process for changing the address. He commented that individuals will still be responsible for changing their monthly bills or subscriptions and updating the Department of Motor Vehicles with their new address. Mr. Mikkelson indicated that the Post Office will continue delivering mail to the old address for a one (1) year period.

Mayor Kluttz commented that she feels if Council moves forward with the street name change it should help citizens in any way it can.

Mr. Kennedy stated that many who were opposed have now signed a petition in support of the change and he presented the petition to City Clerk Myra Heard as part of the City record.

Mayor Pro Tem Woodson commented that several people have commented that if a street is not renamed they would support renaming the Civic Center for Dr. Martin Luther King, Jr.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Lewis, seconded by Mr. Burgin. All council members agreed unanimously to adjourn. The meeting was adjourned at 6:21 p.m.

Mayor

City Clerk