

Salisbury, North Carolina
July 5, 2005

REGULAR MEETING

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

ABSENT: Council William (Bill) Burgin

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Councilman Kennedy.

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.

ADDITIONS/DELETIONS TO THE AGENDA

Mayor Kluttz noted the following change to the Agenda:

Add – Council Committee Report regarding Greystone Village

RECOGNIZE PLANT OPERATIONS AND ENVIRONMENTAL SERVICES DIVISIONS OF SALISBURY-ROWAN UTILITIES

Mr. Matt Bernhardt, Assistant City Manager for Utilities, informed Council that the Plant Operations and Environmental Services Divisions of the Salisbury-Rowan Utilities (SRU) have been awarded the Gold 2004 Peak Performance Award from the National Association of Clean Water Agencies. The award is given to those agencies that achieve excellence in the fulfillment of licenses and permits and SRU met one hundred (100) percent of the requirements for the National Pollutant Discharge Elimination System (NPDES) permitting program.

Mr. Bernhardt recognized Mr. Randy Cauble, Plant Operations Manager; Mr. Mike Frick, Assistant Plant Operations Manager; Ms. Carol Hamilton, Environmental Services Manager, and staff from both divisions. Mayor Kluttz presented Mr. Cauble with the Gold 2004 Peak Performance Award and thanked all of the employees of Salisbury-Rowan Utilities for their hard work for the citizens of Salisbury.

RECOGNIZE POLICE DEPARTMENT

Police Chief Mark Wilhelm recognized the following Veteran Officer of the Year, Young Officer of the Year, and Employee of the Year from the Salisbury Police Department.

Veteran Officer of the Year	Detective Tom Wilsey
Young Officer of the Year	Patrolman Adam Bouk
Employee of the Year	Barbara Fuller

Chief Wilhelm presented Ms. Fuller and Detective Wilsey with a plaque and thanked them for their work for the City. He noted that Patrolman Bouk was unable to attend.

RECOGNIZE FIRE DEPARTMENT

Fire Chief Bob Parnell recognized the following Veteran Firefighter and Rookie Firefighter of the Year from the Salisbury Fire Department.

Veteran Firefighter of the Year Engineer Marshall Lancaster
Rookie Firefighter of the Year Firefighter Matt Lowman

Chief Parnell presented a plaque to Engineer Lancaster and Firefighter Lowman.

Mayor Kluttz thanked all of the employees from the Fire Department and the Police Department for their dedication to the City.

CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of June 21, 2005.

(b) Final Subdivision Plat S-04-05 - Oakview Commons

Approve final subdivision plat S-04-05 for Oakview Commons, Section 3, Phase I-B, subject to the receipt of a guarantee of improvements in accordance with Section 5.03.2 of the Subdivision Ordinance.

(c) 2005-06 Holiday Schedule

Approve the Holiday schedule for fiscal year 2005-2006.

(d) Street Maintenance

Adopt a resolution to transfer maintenance responsibility of twelve (12) streets from the North Carolina Department of Transportation to the City of Salisbury retroactive to June 30, 2005 to coincide with the date of the statutory annexation and Powell Bill report.

RESOLUTION AGREEING TO TRANSFER CERTAIN ROADS FROM THE STATE SECONDARY ROAD SYSTEM TO THE CITY OF SALISBURY ROAD SYSTEM.

(The above Resolution is recorded in full in Resolution Book No. 12, at Page No. 23, and is known as Resolution No. 2005-19.)

(e) Street Closing - Friday Night Out

Approve closing one lane of traffic in the 100 block of South Main Street Friday, July 15, 2005 from 4:30 p.m. until 10:30 p.m. for the Downtown Salisbury, Inc. Friday Night Out, subject to North Carolina Department of Transportation approval.

Mayor Kluttz noted that a citizen has requested the opportunity to discuss item b - Final Subdivision Plat S-04-05 - Oakview Commons and asked Council if they would like to pull this item.

Thereupon, Mr. Kennedy made a **motion** to pull 7(b) Final Subdivision Plat S-04-05 - Oakview Commons from the Consent Agenda. Mr. Woodson seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

Thereupon, Mr. Kennedy made a **motion** to approve the Consent Agenda items a, c, d, and e. Mr. Woodson seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

FINAL SUBDIVISION PLAT S-04-05 - OAKVIEW COMMONS

Mayor Kluttz noted that as a courtesy to the public she will open this item for comment.

Mr. Hoyle, 106 Oakview Drive, apologized that residents did not address this issue earlier but noted that they knew nothing about it. He stated that residents have an issue with there being only one (1) entrance for one hundred ninety-five (195) homes coming through their development off of Faith Road. He stated that the engineers for Salisbury were against this, as well as engineers from the North Carolina Department of Transportation (NCDOT). Mr. Hoyle stated that he is not against development done in the right way but he feels this is a real safety issue. He asked how this plan could be passed against the recommendation of NCDOT and engineers.

Mr. Don Miller, 1301 Allison Court, informed Council that his wife was recently walking their dog when the dog was hit by one of the construction workers. He stated that having only one entrance into the subdivision with this many houses will create even more traffic. He added that instead of the dog it could have been a child that was hit by the car. Mr. Miller stated he is very concerned about traffic and feels this is a safety issue and there are many small children in the subdivision.

Mr. John Fletcher, Cabarrus County, stated that he is the developer for Oakview Commons and noted that he went through all of the guidelines and requests from the staff to build a subdivision that fit the City's plans. He commented that he had three (3) stub-outs that were included in the subdivision for future growth and traffic, but at the request of another developer, the Planning Board closed the stub-outs. He noted that he had to

rework the plat at his expense for this change. Mr. Fletcher informed Council that the Utility Department requested that he eliminate a lift station to be replaced by a sewer outfall which will be a great savings to the City. He stated that he is building nice homes with sidewalks on both sides, and while he can sympathize with the traffic he feels it is part of growth.

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

Mr. Dan Mikkelson, Director of Land Management and Development, informed Council that when the preliminary plat for this development was submitted to the Planning Board, staff noted their concerns about the number of potential lots and the number of entrances. He added that the City's Ordinance does not specify the number or ratio of entrances to exits, so the developer met all of the standards of the Ordinance and the plan was approved. Mr. Mikkelson commented that although there is potential development of one hundred ninety-five (195) lots, this particular phase only has approximately forty (40) lots. He noted that the developer has continued to look for additional ways to make connections into the development in order to add an entrance. He stated that the appropriate time for action to have been taken would have been before the preliminary plat was approved. After approval of the preliminary plat the developer proceeded with his investment and has infrastructure in the ground. He noted that the Code is set up so that once the developer is allowed to proceed, City Council approval of the final plat is more or less a technicality. Mr. Mikkelson stated that the City does not have the authority to deny the developer the right to record the final plat and asked City Attorney Rivers Lawther if he agreed. Mr. Lawther responded that as long as there were no changes from the approved preliminary plat this is correct. Mr. Mikkelson indicated that staff has found the developer has done everything he is supposed to do.

Councilman Kennedy stated that he understands that Council can not do anything at this particular phase but questioned if anything can be done on the next phase. Mr. Mikkelson responded that the preliminary approval has been granted for the full one hundred ninety-five (195) lots and since the approval has been granted it will be hard to do anything at this point.

Mayor Kluttz asked what legal options are available to Council. City Attorney Rivers Lawther responded that Council can decide whether or not it wants to approve the final plat. Mr. Mikkelson stated that staff feels the developer has met all of his obligations and there is not a strong case to deny it.

Councilman Lewis commented that this development has been going on for some time and there have been many opportunities for comments from citizens about what happens in this development. He added that he understands that citizens do not always know how to interact with government. He stated that he agrees that not having connectivity and only having one entrance and exit to the subdivision is a problem; however, when the preliminary plat was brought to the City, the Ordinance was in place and Mr. Fletcher has acted in good faith and abided by all of the regulations. Mr. Lewis noted that this development has been taking place for four (4) years and added that Mr. Fletcher was one of the first developers to voluntarily add stub-outs at his expense. He stated that he did not feel there is an option for Council to do anything now because Council has to give developers reliability in the development process. He added that he is hopeful that there will be development around Phase 3 that Mr. Fletcher can connect to in order to create additional entrances. Mr. Lewis commented that Council must maintain connectivity standards in the new ordinance that is being developed.

Thereupon, Mr. Lewis made a **motion** to approve Oakview Commons, Section 3, Phase 1-B, final plat S-04-05. Mr. Kennedy seconded the motion adding he hopes the City will continue to work to have connectivity for this community in the future. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

ALLEY CLOSING - 1600 BLOCK OF NORTH LEE STREET

(a) Mr. Dan Mikkelson, Director of Land Management and Development, informed Council that a petition was received to close alleys in the 1600 block of North Lee Street. He indicated that proper notification has been made and staff finds that closing the alleys will not be contrary to the public interest and no individual will be deprived of reasonable ingress or egress to their property.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof to consider closing alleys in the 1600 block of North Lee Street.

There being no one to speak **for** or **against** the alley closings, Mayor Kluttz closed the public hearing.

(c) Thereupon, Mr. Woodson made a **motion** to adopt the Resolution accepting the alleys upon finding that it will not be contrary to the public interest and no individual will be deprived of reasonable ingress or egress to their property. Mr. Kennedy seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

RESOLUTION PERTAINING TO THE ACCEPTANCE OF AN OFFER OF DEDICATION FOR PUBLIC USE OF ALLEYS IN THE 1600 BLOCK OF NORTH LEE STREET.

(The above Resolution is recorded in full in Resolution Book No. 12, at Page No. 24, and is known as Resolution No. 2005-20.)

(d) Thereupon, Mr. Woodson made a **motion** to approve the ORDER closing the alleys. Mr. Lewis seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

NORTH CAROLINA	*	BEFORE THE CITY COUNCIL OF
ROWAN COUNTY	*	THE CITY OF SALISBURY
	*	NORTH CAROLINA
IN THE MATTER OF:	*	
	*	ORDER CLOSING STREET

**CLOSING ALLEYS IN THE 1600 *
BLOCK OF NORTH LEE STREET**

*
*

**PURSUANT TO GENERAL STATUTE
OF NORTH CAROLINA SECTION
160A-299**

THIS CAUSE, coming on to be heard and being heard before the City Council of the City of Salisbury, Rowan County, North Carolina, at the regular meeting of said Council held on July 5th at 4:00 p.m., in the City Office Building at 217 South Main Street, Salisbury, North Carolina, and it appearing to the Council that all persons, firms and corporations owning property adjoining the alleys described in the Petition filed in this cause are parties to this proceeding; and it further appearing that said alleys are not maintained by the Department of Transportation; and it further appearing that notice of this hearing was duly published in THE SALISBURY POST on June 10, 17, 24 and July 1, 2005.

And it further appearing to the Council and the Council finding as a fact, that the closing of the alleys, as described in the Petition filed in this cause, is not contrary to the public interest or the property rights of any individual, and that no individual owning property in the vicinity of said alleys or in the subdivision in which they are located will be deprived of reasonable means of ingress and egress to his property by the closing of said alleys; and it further appearing to this Council that the relief prayed in the Petition should be granted.

IT IS NOW, THEREFORE, ORDERED AND DECREED by the City Council of the City of Salisbury, Rowan County, North Carolina, pursuant to and in accordance with the authority vested in this Council by the General Statutes of North Carolina, Section 160A-299:

Beginning at a 1/2" iron pipe found at the southeastern corner of lot 8 of "Property of John S. Henderson", Map Book 9995 Page 233, Block I, said iron being at the intersection of the western right of way of East 16th Street and the northern margin of an alley, said iron having grid coordinates of Northing 214907.8476 meters and Easting 478408.5873 meters and being South 26 Degrees, 46 Minutes, 29 Seconds East, 669.03 feet from NC Grid Monument "SIXTEENTH", Northing 215089.881 meters and Easting 478316.738 meters, running thence South 22 Degrees, 44 Minutes, 02 Seconds East, 12.02 feet to a 3/4" rebar found at the intersection of the southern margin of the alley and the western right of way of East 16th Street, a corner of lot 11; thence with the margin of the alley and the line of lot 11, South 67 Degrees, 07 Minutes, 37 Seconds West, 193.23 feet to a 1/2" iron pipe set at the northwest corner of lot 11 and the margin of the alley; thence South 23 Degrees, 13 Minutes, 20 Seconds East, 48.75 feet to a 1/2" iron pipe set at the southwest corner of lot 11 and the margin of the alley; thence North 57 Degrees, 29 Minutes, 57 Seconds East, 195.65 feet to a 3/4" rebar found at the southeast corner of lot 11; thence along the western right of way of East 16th Street, South 22 Degrees, 44 Minutes, 02 Seconds East, 12.18 feet to a 1/2" iron pipe set at the intersection of the southern margin of an alley and the western right of way of East 16th Street; thence with Southern Railway Company, South 57 Degrees, 29 Minutes, 57 Seconds West, 403.49 feet to a 1/2" iron pipe set at the intersection of the southern margin of an alley and the eastern right of way of East 15th Street; thence North 23 Degrees, 13 Minutes, 20 Seconds West, 12.16 feet to a 3/4" rebar found at the intersection of the northern margin of an alley and the eastern right of way of East 15th Street, said rebar being the southern corner of lot 9; thence North 57 Degrees, 29 Minutes, 57 Seconds East, 195.79 feet to a 1/2" iron pipe set at the intersection of the margin of the alley and being the eastern corner of lot 9; thence North 23 Degrees, 13 Minutes, 20 Seconds West, 50.79 feet to a 1/2" iron pipe set at the intersection of the alley and being the northeastern corner of lot 10; thence South 67 Degrees, 07 Minutes, 37 Seconds West, 193.23 feet to a 3/4" rebar found at the northwestern corner of lot 10 in the eastern right of way of East 15th Street; thence North 23 Degrees, 08 Minutes, 26 Seconds West, 11.96 feet to a 1/2" iron pipe found at the southwestern corner of lot 1 in the eastern right of way of East 15th Street; thence North 67 Degrees, 22 Minutes, 39 Seconds East, 100.04 feet to a 1/2" iron pipe found; thence North 66 Degrees, 59 Minutes, 15 Seconds East, 198.39 feet to a 3/8" rebar found; thence North 67 Degrees, 06 Minutes, 47 Seconds East, 100.12 feet to the beginning containing 0.233 acres more or less and being from a survey for ARC of NORTH CAROLINA-East 15th Street, Salisbury by James T. Hill, PLS dated May 27, 2005.

Be and the same is hereby forever closed.

This the 5th day of July, 2005.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: s/s Susan W. Klutz

Mayor

Myra B. Heard
City Clerk

STAFF REPORT - TRAFFIC CALMING IN OLDE SALISBURY

Mr. Dan Mikkelson, Director of Land Management and Development, reported that in September 2004 the final plat for Phase 3 of the Olde Salisbury subdivision was approved, subject to the guarantee for construction. He noted that at that meeting there were concerns regarding traffic calming for the area. He explained that the original design called for a traffic circle but for a variety of reasons it was not installed. Mr. Mikkelson informed Council that the developer polled the residents of Phase 1 about traffic in the neighborhood and two-thirds (2/3) of the residents were satisfied with traffic conditions, with one-third (1/3) expressing concerns about speed. He stated that the developer, along with City staff, looked at the area to try to determine potential traffic calming treatments that would be appropriate for the neighborhood but could not find anything they felt would be

suitable. Mr. Mikkelson informed Council that staff took traffic counts in the neighborhood and noted that Chantilly Lane carries approximately four hundred (400) vehicles per day and has an 85th percentile speed of 31 mph, with a highest recorded speed of 42 mph. Staff compared these figures to similar neighborhoods with traffic complaints and this neighborhood ranked last out of twelve (12) neighborhoods. He explained that the numbers were fairly similar to those of Dogwood Road, which was studied in 1999 and where the determination was made that there was not enough of a problem to make any physical changes. He informed Council that since neither the developer nor staff could find a treatment that would be beneficial for the neighborhood, staff feels no further action is needed at this time.

STREET CLOSING - 5TH ANNUAL GIORDANA CROSSROADS CLASSIC BICYCLE RACE

Police Chief Mark Wilhelm informed Council that Charlotte Sports Cycling will host an event to begin August 3 in Matthews, August 4 in Salisbury, August 5 in Statesville, August 6 in Charlotte and in Concord on August 7. He stated that he has been told the event has the potential to bring five hundred (500) or more participants to downtown Salisbury and the streets in this area would need to be closed from 5:00 p.m. until 11:00 p.m.

Mayor Klutz noted that it would be nice to inform Mr. Randy Hemann, Executive Director of Downtown Salisbury, Inc., so that perhaps downtown merchants can take advantage of having five hundred (500) people downtown.

Mayor Pro Tem Woodson asked if the current street lights will provide enough light for the event since it will be at night. Chief Wilhelm responded that Judge Brown and the event coordinator have surveyed the area and discussed the possibility of bringing in additional lights for certain areas but he has not heard from Judge Brown at this time. He added that he will be in contact with Judge Brown to determine what additional lighting might be required.

Thereupon, Mr. Woodson made a **motion** that upon approval of DOT (North Carolina Department of Transportation) to close the 200-300 blocks of North Main Street, 100-200 blocks of West Council Street, 200-400 blocks of North Jackson Street, 200 block of West Cemetery Street, 400 block of North Church Street, and the 100 block of West Kerr Street Thursday, August 4 from 5:00 p.m. until 11:00 p.m. for the 5th Annual Classic Bicycle race. Mr. Kennedy seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (4-0)

JUSTICE ASSISTANCE GRANT (JAG) - POLICE DEPARTMENT

Police Chief Mark Wilhelm informed Council that the Police Department has received a Justice Assistance Grant (JAG). He stated that this is the new name for the Community Block Grants previously received by the Police Department. The City was eligible for \$26,542 and was awarded this full amount to be spent over a two (2) year period. He stated that the money will be used for the Police Department's youth initiatives, as well as for gang education for the youth in the area. Chief Wilhelm added that the money should be received in October.

CHILD SAFETY SEAT GRANT - FIRE DEPARTMENT

Captain Marshall Moore and Battalion Chief David Morris spoke to Council regarding a grant received by the Salisbury Fire Department.

Captain Moore explained why this grant is needed, noting:

- The Salisbury Fire Department often responds to wrecks where children are injured because they are not in a Child Protection Seat (CPS) properly
- In Rowan County approximately ninety-six (96) percent of the CPS's checked were installed or used improperly
- The Salisbury Fire Department has been partners with Rowan SAFE KIDS since 2001
- The Salisbury Fire Department has served as a contact site for child safety seat checks for several years, but had to contact a CPS Technician from another agency to conduct the CPS check
- This will be the first CPS permanent checking station in Rowan County

Captain Moore noted that this grant will help support their Core Value, which states, "To maintain high customer satisfaction with superior customer service." He provided more information regarding the NC SAFE KIDS Buckle Up Program Permanent Checking Station grant:

- Grant amount: \$2,500
- Funding is made possible by a North Carolina SAFE KIDS in conjunction with the Governor's Highway Safety Program
- Maintenance grants for maintaining the CPS checking station are also available in the amount of \$1,000 and the Salisbury Fire Department will apply for these grants in 2006

The goals of a Permanent Checking Station grant are:

- A permanent location for parents/caregivers to be educated about child passenger safety
- Child restraints checked to insure they are installed and used correctly
- Educational source for the community

Captain Moore reviewed CPS Technicians and noted:

- Currently there are ten (10) Salisbury Fire Department Personnel certified as CPS Technicians
- Four (4) Salisbury Police Officers are certified as CPS Technicians
- All CPS Technicians attended a forty (40) hour class and passed a National SAFE KIDS written test of one hundred (100) questions
- Salisbury Fire Department would like to have three (3) CPS Technicians per shift and one (1) on day shift

The Salisbury Fire Department Plans for the grant include:

- Establish a permanent CPS checking station at Station 51
- Have one day of the week dedicated to CPS checks
- Salisbury Fire Department will also check seats on demand
- Provide seat checks at other events with Rowan SAFE KIDS, Salisbury Police, and Rowan County Sheriff's Office
- A sign indicating there are no CPS Technicians available will be posted when Fire Personnel are on calls or other activities away from the station

Captain Moore added that grant funds will also be used to purchase necessary items for checking the seats. He asked for Council's acceptance of the grant and for support of future grants to maintain the checking station.

Mayor Kluttz thanked Captain Moore and Battalion Chief Morris for seeking this grant and working for its implementation.

***A motion to approve the grant was made under the City Manager's Comments. See Page 13.*

LICENSE AGREEMENT - AMERICAN SOCIETY OF COMPOSERS, AUTHORS, AND PUBLISHERS (ASCAP)

Ms. Gail Elder White, Parks and Recreation Director, spoke to Council regarding an Agreement from the American Society of Composers, Authors, and Publishers (ASCAP) for use of its members' music. She explained that the Agreement stipulates a \$260 per year licensing fee for the City to use ASCAP licensed music throughout the City.

Thereupon, Mr. Woodson made a **motion** to approve annual fee of \$260 to the American Society of Composers, Authors, and Publishers for their members' music for use by the City and for City Manager David Treme to sign the license agreement. Mr. Lewis seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

BOARDS AND COMMISSIONS

Zoning Board of Adjustment

Upon a **motion** by Mr. Woodson, seconded by Mr. Kennedy, and with Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voting AYE, the following appointment was made to the Zoning Board of Adjustment City Alternate:

Mr. Reginald Boland Term expires 3-31-08

Upon a **motion** by Mr. Woodson, seconded by Mr. Kennedy, and with Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voting AYE, the following appointment was made to the Zoning Board of Adjustment ETJ representative:

Mr. Wayne Saleeby Term expires 3-31-08

Mr. Woodson noted that Mr. Scott Robinson has also expressed interest in serving on the Zoning Board of Adjustment at a later date.

SALISBURY-ROWAN ECONOMIC DEVELOPMENT COMMISSION

Upon a **motion** by Mr. Lewis, seconded by Mr. Woodson, and with Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voting AYE, the following reappointments were made to the Salisbury-Rowan Economic Development Commission:

Mr. Bill Wagoner Term expires 6-31-08

Mr. Jack Owens Term expires 6-31-08

Mr. Woodson indicated that Dr. Fred Dula has also expressed an interest in serving on this board in the future.

COUNCIL COMMITTEE REPORT – GREYSTONE VILLAGE

Councilman Kennedy stated that he and Councilman Burgin met with Mr. Rodney Queen, Developer of Greystone Village, and staff regarding the Greystone Village project and were able to reach an agreement for the issues.

Mr. Dan Mikkelson, Director of Land Management and Development, noted that one of the issues discussed during the committee meeting was sidewalks, and both staff and the developer agreed that sidewalks were not a requirement and to try to include them at this stage would be a burden.

The second issue involved open space and Mr. Mikkelson noted that the way the current Ordinance is written there is no definition of open space so staff feels the developer has met the intent of the Ordinance and no change should be made.

Mr. Matt Bernhardt, Assistant City Manager for Utilities, discussed the third issue addressed by the committee which involved private versus public water and sewer. He explained that the developer decided to install a private water and sewer system but Salisbury-Rowan Utilities (SRU) requires water and sewer be extended to the end of property lines to promote connectivity. He stated that the solution will be for the developer to make the sewer line a public line dedicated to SRU and grant an easement to SRU. The end of the line will be stubbed-out for future connections and Mr. Bernhardt noted that the compromise meets the requirements of both the developer and SRU.

Mr. Mikkelson clarified public versus private water and sewer noting that the water consumed by citizens is public water carried through public lines until it reaches the property where it is then distributed through private lines. Sewer is similar in that it is collected by a private collection line that connects to the public sewer line where the waste is carried to the public wastewater treatment plant. He added that the residents will be customers of the public utility.

Mr. Kennedy asked Mr. Rodney Queen, developer, to address Council. Mr. Queen commented that it was a pleasure to work with a committee to find a solution for these issues. He added that he is a strong supporter of utilities, which is generally the toughest part of development.

Thereupon, Mr. Kennedy made a **motion** to approve group development site plan G-03-05 Greystone Village subject to the extension of public sanitary sewer to the northern property line. Mr. Lewis seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

COMMENTS FROM THE CITY MANAGER

**City Manager David Treme asked for Council action on receipt of the Fire Department Grant in the amount of \$2,500 from the North Carolina Department of Insurance.

Thereupon, Mr. Woodson made a **motion** to accept the \$2,500 from the North Carolina Department Insurance Office State Fire Marshall and Governor's Highway Safety Program. Mr. Lewis seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

(a) Interlocal Risk Financing Fund Membership Agreement

Mr. Treme recommended Council adopt a Resolution authorizing the Mayor to execute the Interlocal Risk Financing Fund Membership Agreement. He explained that this Agreement is to allow the City to continue business as in the past.

Thereupon, Mr. Kennedy made a **motion** to adopt the Resolution authorizing the Mayor to execute the Interlocal Risk Financing Fund Membership Agreement. Mr. Woodson seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

RESOLUTION FOR PARTICIPATION IN THE INTERLOCAL RISK FINANCING FUND OF NORTH CAROLINA FOR A GROUP SELF-INSURANCE POOL FOR PROPERTY AND LIABILITY RISK SHARING.

(The above Resolution is recorded in full in Resolution Book No. 12, Page No. 25, and is known as Resolution No. 2005-21.)

(b) Staff Report - Solid Waste

Mr. Treme recognized Mr. Lynn Hilliard, Solid Waste Manager and Solid Waste Supervisor Brian Moore to share an update on the Solid Waste Division.

Mr. Hilliard informed Council that the Solid Waste Division provides Citywide trash collection and manages the recycling contract. He reviewed data for Salisbury in regards to other municipalities and trash collection:

<u>Indicators</u>	<u>Lexington</u>	<u>Asheboro</u>	<u>Monroe</u>	<u>Salisbury</u>	<u>Shelby</u>	<u>Statesville</u>
Full-time Employees	18	18	Contracted	8.5	38	28
Collection Points	8,000	8,000	8,315	10,100	8,970	9,500
Tons Collected	8,188	19,101	17,405	8,750	7,765	9,399

He reviewed the cost per ton collected as compared to the State average and noted that Salisbury compares very favorably. Mr. Evans Ballard, Performance Measurement Analyst, pointed out that the City of Lexington collects its own data and how well Salisbury compares to their collection rates.

Mr. Hilliard stated that the average annual complaints for Salisbury's trash collection equal ten and four-tenths (10.4) per one thousand (1,000) collection points as compared to the benchmark project average of fifty eight and two-tenths (58.2). He noted that the tons of garbage collected has increased from seven thousand nine hundred (7,900) in 1995 to eight thousand seven hundred fifty (8,750) in 2005 while the number of equipment operators and workers in the solid waste division has been reduced from twenty-nine (29) in 1992 to eight (8) in 2005. The number of compactor trucks has also decreased from twelve (12) in 1992 to seven (7) in 2005 with collection points increasing from seven thousand eight hundred (7,800) in 1992 to ten thousand five hundred fifty-seven (10,557) in 2005.

Mayor Kluttz thanked Mr. Hilliard and Mr. Moore for their report and noted that when the City conducted its citizen survey, Solid Waste

received very high marks.

(c) Demonstration of new video equipment

Mr. Michael Crowell, Technology Services Manager, and Mr. Jason Parks, Access 16 Station Manager, demonstrated new video equipment that has been installed in Council Chambers in an effort to bring information to citizens through Access 16 Government Access Channel. Mr. Crowell stated that when the franchise agreement was renegotiated with Time Warner Cable, Access 16 was created and Time Warner donated \$10,000. This money was used to purchase a camera that was initially used to videotape the Council meetings. Mr. Crowell stated that two additional cameras have been purchased and installed, with one more on order. A new projector has been mounted from the ceiling and staff hopes to have all of it tied into the sound system within the next two (2) weeks. He noted that currently meetings are shown on tape delay but staff is hopeful to have the ability to show the meetings live in the near future. Mr. Parks displayed the broadcast capabilities of the cameras for Council and noted the quality of the picture.

Mr. Crowell stated that Council meetings are just a part of what is being done with Access 16 and noted that community information from various departments is shown on the channel. He indicated that Mr. Parks has recently purchased new equipment that will enhance the capabilities and quality of the images displayed on Access 16 and displayed a demo of the new equipment for Council.

Mayor Klutz stated she feels the progress staff has made since Access 16 started is amazing and noted that she continues to hear positive comments from the public.

Mr. Crowell commented that the City of Jacksonville is preparing to begin a similar project and has budgeted approximately \$200,000 while the City of Salisbury has spent approximately \$36,000 for the same capabilities. He added that they are in the process of preparing slides and possibly a video that will explain the policies of Access 16. Mr. Crowell stated he is hopeful that volunteers will help with making small video segments that can be used for public service messages.

City Manager David Tremé noted the channel meets Council's goal of how to best get information to the community.

(d) 21st Annual Future Directions and Goal Setting Retreat

City Manager David Tremé indicated that staff would like to begin the planning process for the 2006 Future Directions and Goal Setting Conference and noted that City Clerk Myra Heard has been working with Council to determine a date that best fits everyone's schedule. Ms. Heard noted that February 9-10, 2006 were the dates that worked best. By consensus, Council agreed to hold the retreat February 9-10, 2006.

MAYOR'S ANNOUNCEMENTS

(a) U.S. Conference of Mayors 73rd Annual Meeting

Mayor Klutz reported that she attended the 73rd Annual Meeting of the U.S. Conference of Mayors June 10-12, 2005 in Chicago, Illinois. She stated that she helped create a resolution to be presented to the Transportation Committee of the U.S. Conference of Mayors. She stated that the draft resolution was presented and accepted and then went on to be accepted by the entire U.S. Conference of Mayors. It has now been presented to Congress and seeks support for continued Federal funding for Amtrak. Mayor Klutz stated that Salisbury is very fortunate to be an Amtrak City and to be connected to the state and nation by Amtrak. She added that it is important to ensure that the proper government body maintains its funding responsibility, and she feels strongly that Amtrak is a Federal responsibility.

Mayor Klutz indicated that she has been appointed as a member of the Community Development Housing committee.

(b) Donation of Fire Tanker to Rowan County

Mayor Klutz announced that City Council formally presented the key to the 1988 Mack/Grumman Fire Tanker to the Rowan County Board of Commissioners earlier today. Council declared the truck as surplus and approved its donation at its June 21, 2005 meeting.

(c) Salisbury-Rowan Utilities – Elected Officials Meeting

Mayor Klutz announced that a request has been received by one of the municipalities that a meeting be held of all elected officials to hear more information about the policies of the Salisbury-Rowan Utilities. She suggested inviting the town boards who are customers of SRU to a lunch meeting in August. She asked staff to develop a PowerPoint presentation to provide information for those who attend.

(d) Eagle Heights Stop Sign Request

Councilman Lewis noted that Council has been presented with a petition from the president and vice-president of the Eagle Heights neighborhood association regarding a four (4) way stop at Windsor Drive and Idlewood Drive. He recommended adding this item to the next Council meeting and inviting the president and vice-president to make a presentation and formally present the petition. Council agreed by consensus.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Woodson, seconded by Mr. Kennedy. All council members agreed unanimously to adjourn.

The meeting was adjourned at 5:41 p.m.

Mayor

City Clerk