

Salisbury, North Carolina  
August 4, 2009

## **REGULAR MEETING**

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

**ABSENT:** City Clerk Myra B. Heard

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.

## **PROCLAMATIONS**

Mayor Kluttz proclaimed the following observances:

NATIONAL NIGHT OUT	August 4, 2009
THE GREAT AMERICAN SMOKE-OUT	August 15, 2009

## **RECOGNITION – MANAGEMENT SERVICES DEPARTMENT**

Management Services Director John Sofley introduced Mr. Bill Rivenbark, Associate Professor at the University of North Carolina at Chapel Hill, Institute of Government. Mr. Rivenbark explained that all local governments in North Carolina are required by law to issue annual financial statements. He noted that only a handful of local governments make the extra effort to issue a Comprehensive Annual Financial Report (CAFR), which is a much more professional and comprehensive document than just the annual statements. Mr. Rivenbark announced that the City of Salisbury's Management Services Department has been awarded a Certificate of Achievement for Excellence in Financial Reporting for its CAFR. He noted that this is the highest form of recognition in the area of governmental accounting and financial reporting and its attainment represents a significant accomplishment by a local government.

Mayor Kluttz presented the award to Finance Analyst Kizzie Lea and Management Analyst Mark Drye on behalf of the Management Services Department and congratulated them on this outstanding accomplishment.

Mr. Rivenbark stated that State law also requires local governments to issue an annual budget document. He noted that some local governments go beyond this requirement and issue a budget and policy document which is submitted to the Government Finance Officers Association (GFOA) for consideration. He announced that the City of Salisbury has been awarded the Distinguished Budget Presentation Award by the GFOA for its budget. He indicated that this award represents a significant achievement by the City and the governing body and staff's commitment to meet the highest principals of governmental budgeting.

Mayor Kluttz presented the award to Budget Performance Manager Teresa Harris who accepted the awards on behalf of the department.

## **RECOGNITION – FINANCE MANAGER WADE FURCHES**

Mr. Bill Rivenbark, Associate Professor University of North Carolina at Chapel Hill, Institute of Government announced that the designation of Certified Local Government Finance Officer was awarded to Finance Manager Wade Furches. He indicated that Mr. Furches has demonstrated professional experience and knowledge in the area of local government finance through classroom hours, experience and taking exams to document his expertise. He pointed out that Mr. Furches also shows an ongoing commitment to professional development.

Mayor Kluttz presented the award to Mr. Furches and thanked him for his commitment to the City.

## **RECOGNITION – BUDGET ANALYST EVANS BALLARD**

Mr. Bill Rivenbark, Associate Professor University of North Carolina at Chapel Hill, Institute of Government announced that the designation of Certified Budget and Evaluation Officer was awarded to Budget Analyst Evans Ballard. He indicated that Mr. Ballard has demonstrated an ongoing commitment to performance measurement, strategic planning, benchmarking and process improvement for efficiency and effectiveness.

Mayor Kluttz presented Mr. Ballard with the award and thanked him for his service to the City.

Mayor Kluttz stated that Council is proud of each employee who received awards and thanked Professor Rivenbark and the Institute of Government.

## **REPORT – SALISBURY HOUSING AUTHORITY CARPENTER’S CORNER APARTMENTS**

Mr. Layton Woodcock, Executive Director of the Salisbury Housing Authority, provided Council a report on the completion of Carpenter’s Corner Apartments. Mr. Woodcock indicated that this is the first public housing development completed in the City of Salisbury in 31 years. He noted that the apartments consist of 22 duplex units with eight floor plans. Mr. Woodcock reviewed the amenities of the units:

- All brick (different colors)
- Different elevations
- Large bathrooms
- Ceramic tile
- Full size oven
- 8 units accommodate handicap (wheelchair)
- Walk-in closet
- Complex sits on four acres

Mr. Woodcock stated that he feels this will be an asset the community and City can be proud of for years to come.

Mayor Kluttz recognized Housing Authority Board members Mr. Robert Roakes, Dr. Mary Francis Edens, Ms. Mary Powell, Mr. Sonny Carpenter, and Mr. Fred Evans. She pointed out that Mr. Carpenter is the longest serving Chairman of the Salisbury Housing Authority, having served 25 years. She commented that the Housing Authority Board is dedicated to the City and has compassion for its citizens. She indicated that this housing development will fit in well with the neighborhood.

## **CONSENT AGENDA**

(a) **Approval of Minutes**

Approve Minutes of the Regular meeting of July 21, 2009.

(b) **Temporary Street Closures – United Way**

Approve closing the 100 block of West Fisher Street from 2:00 p.m. until 8:00 p.m. and the 100-200 block of North Main Street from 5:00 p.m. until 8:00 p.m. Friday, September 4, 2009 for the United Way Kick-off.

(c) **Temporary Street Closure – Rowan Blues and Jazz Society**

Approve the partial closing of the 200 block of West Fisher Street from Church Street to just east of the Wrenn House parking lot from 7:00 a.m. until 11:00 p.m. Saturday, October 10, 2009 for the Rowan Blues and Jazz Society.

(d) **Custody of Retired Police Canine**

Authorize Police Chief Mark Wilhelm to award the custody of retired canine Jagger to handler Officer Mark W. Shue.

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

## **GROUP DEVELOPMENT SITE PLAN – G-23-07 KELLEY-SALISBURY/MARRIOTT COURTYARD**

(a) Mr. David Phillips, Development Services Manger, addressed Council regarding Group Development Site Plan G-23-07 Kelley-Salisbury/Marriott Courtyard. He stated that when the plan was originally approved it was referred to as the Kelley-Salisbury site but the official name is now Marriott Courtyard.

Mr. Phillips reviewed an aerial map of the site and stated that the request is for a slight modification to the footprint of the hotel from what was shown on the approved plan. He reviewed the site plan and a proposed rendering of the hotel and noted that Marriott Courtyard has changed the prototype of its buildings resulting in the changes to the proposed building footprint. He noted that the change will reduce the number of rooms from 99 to 94 but all parking requirements will still be met. He pointed out that the connectivity to the Cracker Barrel site has not changed and is still shown on the plan.

Mr. Phillips noted that the Technical Review Committee and the Planning Board unanimously recommended approval of the site plan amendments.

(b) Mayor Kluttz opened the floor to receive public comment.

There being no one to speak, Mayor Kluttz closed public comment session.

Councilman Kennedy commented that he likes the connection to the Cracker Barrel and Wal-Mart area.

(c) Thereupon, Mr. Kennedy made a **motion** to approve changes to group development site plan G-23-07 Kelley-Salisbury regarding modification of the building footprint and elevations for a Marriott Courtyard Hotel, contingent upon the Technical Review Committee recommendations being addressed. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

**COUNCIL COMMITTEE REPORT – CD-8-05-2009 JOHN LEATHERMAN, JOAN LEATHERMAN, AND TRUSTEE**

Mayor Pro Tem Paul Woodson updated Council regarding the Council Committee meeting concerning CD-8-05-2009 John Leatherman, Joan Leatherman, and Trustee for a rezoning to allow a Taco Bell. Mr. Woodson stated that he and Councilman Kennedy met with various individuals concerning the site plan. He indicated that the major issues at that time were noise and light. He pointed out that Taco Bell will have two landscape plantings behind the restaurant and all lights will face Jake Alexander Boulevard. He stated that Duke Energy removed trees located within its right of way and that Taco Bell and Mr. Leatherman have agreed to replace the trees for an additional noise barrier.

Mr. Woodson pointed out that since the Committee meeting he has been inundated with telephone calls for and against the plan and he does not feel comfortable making a decision today. He added that he feels there should be another meeting to allow everyone an opportunity to express their opinions about the project. Mr. Woodson suggested Monday, August 17, 2009 at 12:00 p.m. in Council Chambers for an additional Committee meeting.

Mr. Kennedy stated that since the committee meeting he has been contacted by business owners in that area who have concerns with the plan. He agreed that another meeting should be held to allow business owners and residents of the community another opportunity to voice their opinion.

Councilman Lewis stated that he feels it is his responsibility to make a clarification based on Council's last meeting. He stated that the 2001 Ordinance allowed for fast food restaurants and he thought that Council was only considering a site plan. He indicated that since the Council meeting he found that anytime there is a legislative process concerning a Conditional District (CD) it is considered a rezoning and all aspects are open for review and change. Mr. Preston Mitchell, Senior Planner, confirmed that a CD Overlay is a legislative action and a rezoning and all associated uses can be amended as part of the review process. He added that a Conditional District is a rezoning with a

site plan while a regular rezoning only changes the zoning classification and does not involve a site plan.

Councilman Burgin indicated that Council has a history of listening to both sides of an issue he feels additional time should be taken to hear everyone on this issue.

Mayor Kluttz stated that if the Committee is not comfortable making a decision at this time, the time should be taken to allow the Committee to hear everything they feel they need to hear. She added that new issues and questions have arisen since the Committee meeting and she agrees that Council would like to hear from everyone who would like to provide input. Mayor Kluttz confirmed that the Committee will meet Monday, August 17, 2009 to receive additional public comments and report back to Council at its next meeting.

Mr. Burgin clarified that the opportunity for the public to speak is at the Committee meeting August 17, 2009 and that no public comment will be accepted at the August 18, 2009 Council meeting. By consensus, Council agreed. Mr. Burgin encouraged anyone who wished to express an opinion about this issue to attend the August 17, 2009 Committee meeting.

## **2020 PARKS AND RECREATION COMPREHENSIVE MASTER PLAN**

Ms. Gail Elder White, Parks and Recreation Director, introduced Mr. Andrew Pack, Mr. Carl Armanini, and Ms. Katie Thayer who are consultants with Woolpert, Inc. Mr. Pack addressed Council regarding the updated 2020 Parks and Recreation Comprehensive Master Plan and indicated that this plan is an update to the 2000 plan. He then reviewed the 2020 Plan:

### 2000 Plan Background

- National Recreation and Park Association (NRPA) Accredited Agency 2000
  - Second of five in the State
  - 79 Accredited Agencies Nationally
  - Best Management Practices
    - Reviews, procedures, etc.
    - Enhances staff teamwork
    - Increased efficiency and evidence of accountability
    - Asks “How are we doing?”
  
- Park and Greenway Development
  - Salisbury Community Park
  - Miller Center and City Park Center Renovations
  - Sports Complex
  - City Park Tennis
  - 1.5 Miles of Greenway
  - Miscellaneous Maintenance/In-house Projects

- Programming/Administration
  - Continues Park Partnerships
  - Website development
  - Implementation of online survey
  - New Programming
  - New Key Position Hires
    - Marketing and Community Relations Manager
    - Greenway Supervisor
    - Maintenance Manager
- Staff Recognitions

### 2009 Update Process and Scope

- Comprehensive Plan Work Items - Executive Summary Report Updating the 2000 Plan
  - Revise current & projected factors (Who are we?)
  - Update existing facilities inventory (What do we have?)
  - Revise Standards & Needs Assessment using public & focus group meetings/workshops (What do we need?)
  - Adjust plan proposals & recommendations (What to do?)
  - Provide new action implementation steps (How to do it?)

Mr. Armanini then reviewed the major findings and the 2009 recommendations.

### Major Findings

- Needs Assessment Summary (4 methods used)
  - Public Meetings
  - Focus Groups
  - Surveys
  - Standards
- Meeting and Focus Groups
  - Expand on greenways and trails
  - Need more gym and recreation center space
  - Need more small parks/neighborhood focus
  - Civic Center expansion
  - Lets maintain what we have
  - Special facilities - skate parks, pools, disc golf, play areas, dog park
  - Expand programs at Salisbury Community Park (SCP) and improve access
  - Need downtown connection to sites and greenway
  - Maintain open space
  - Need a downtown green space
  - Partnering will be needed to succeed
  - Overall good job done by staff

- Survey Data
  - 111 survey responses
    - 61% male
    - 45.9% ages 25-44
    - 63.9% think it is important to fund Parks and Recreation
    - 45% of respondents have participated in programs offered by Parks and Recreation
  - Ranking programs offered by Salisbury Parks and Recreation
    - 16.5 – Excellent
    - 43.1 – Good
  - Parks and facilities use most often by respondents
    - Walk/Bicycle trails
    - Civic Center
    - Disc Golf
    - Baseball/Softball
  - Improvements needed to existing parks
    - 90.7% - walking, jogging, and bicycle trails
    - 88.9% - expand parks and open space
    - 84.5% - renovate playgrounds
    - 80.2% - continue greenway expansion
    - 80.0% - renovate outdoor athletic fields
    - 79.4% - renovate outdoor athletic courts
    - 71.9% - add more picnic areas
  - Which improvements will you support with tax dollars (1<sup>st</sup> choice)
    - Greenway/trail expansion
    - Park expansion
    - Add gym space
    - Sports field expansion
  - Improvements for new parks
    - 93.3% - multi-purpose trails
    - 85.7% - accessible playgrounds
    - 83.7% - environmental education center at SCP
    - 78.4% - extreme parks
    - 74.3% - dog park
    - 73.8% - outdoor pools and special features
    - 70.5% - acquire properties for developing new parks
    - 70.2% - outdoor amphitheatre at SCP
  - Which improvements will you support with tax dollars
    - Skate/Extreme sports park
    - Multi-purpose trails/greenways
    - Outdoor pools/additional gym space
    - Disc golf

- Standards Review
  - Review park type needs
    - Regional Parks – adequately provided by State/Federal Government
    - District Parks – provided by County
    - Community Parks – amply supply through 2020
    - Neighborhood Parks – need 5-7 more by 2020
    - Linear Parks/Greenway – need 12-14 miles by 2020

### 2009 Recommendations

- Priorities
  - Lincoln Park – pool rehabilitation
  - Improve existing sites
  - Neighborhood parks needed especially east of I-85
  - Town Creek/Civic Center expansion
  - SCP needs a facility to implement programming
- Final Recommendations
  - Salisbury’s Role
    - Concentrate on providing neighborhood parks, community parks, and special facilities
    - Support and maintain existing facilities
    - Expand and improve sites where possible for use primarily by local residents
    - Continue to implement the greenway plan and expand its connections to downtown
    - Work on a formal joint-use agreement with schools for use of existing and future sites
  - Community Parks/Facilities
    - Connect SCP with trails
    - Add property at or near Kelsey Scott
    - Add facilities at Town Creek
    - Improve existing sites
  - Neighborhood Parks/Facilities
    - Lincoln Park Master Plan (pool, play, courts, shelters)
    - Improve existing sites as needed
    - Propose seven new parks by 2020
      - New 1 East – east of I-85
      - New 2 North – Old Mocksville
      - New 3 North – McCoy
      - New 4 Northwest – Statesville
      - New 5 West – Sherrill Ford

- New 6 Southwest – Airport area
- New 7 East – Bringle Ferry/Crane Creek
- Mini Park Facilities
  - Complete as many as possible
  - Needed in downtown for infill
  - Use development process to obtain sites
  - Partner with neighborhood groups
- Special Facilities
  - Gyms and Recreation Centers
    - Renovation and expansion of Civic Center
    - Environmental education and/or Skills Center at SCP
    - SCP – Recreation Center/Natatorium
  - Greenway/Pedestrian Connection
    - Strive to get 5-6 miles by 2020
    - Downtown connector – Southwest
    - Downtown connector – North
    - Trail connector to SCP
    - Hurley Park trail and bridge connection with hospital
    - Kelsey Park – Meadowbrook
    - Crescent Park – Meadowbrook
  - Open Space/Kelsey Park Extension
    - Use material handling site for future open space/trail
  - Swimming Pools/Facilities
    - Citywide Pool – Civic Center/Town Creek
    - Lincoln Park Master Plan
  - Special Parks
    - Skate park at Town Creek
    - Dog park at Civic Center/Town Creek
    - 3 on 3 basketball courts/Venue at Town Creek
- Priorities for Development
  - Lincoln Park – pool rehabilitation
  - Improve existing sites
  - Neighborhood parks needed especially east of I-85
  - Town Creek is pivotal to implementing proposals
    - It has the space and accessibility to accommodate special item
    - Facilities proposed at Town Creek/Civic Center are critical to completing Lincoln Park
  - SCP needs a facility to implement programming

- Capital Improvement Program

PLANNING PERIOD COSTS (does not include special projects)

Existing Parks/Facilities (renovations improvements)	\$ 6,198,853
New Parks/Facilities (acquisition and development)	<u>\$1,400,000</u>
Capital Improvements through 2020 (only for the planning period – does not include special projects)	\$ 7,598,853
Capital Improvements Beyond 2020 (does not include special projects)	<u>\$100,000</u>
Total Capital Improvements (does not include special projects)	\$7,698.853
<b>Special Projects/Facilities</b> ("Special Funding/Support – Pay as you go items")	\$29,490,000

All costs are in current dollars

- Staff Needs
  - The proposed park facilities and the associated programming that will occur at these sites will need staff to accomplish their mission and purpose
  - There are 17 new positions identified in the "Proposed Organizational Chart". Fifteen of these positions fit into existing classifications. The two new positions are Pool Manager Coordinator and Park/Facility Manager
- Revenue Plan
  - General Fund Allocations/Tax Revenues
  - Revenue General Obligation Bonds
  - Limited Option or Special Use Tax
  - Parks Foundation
  - Federal /State Assistance
  - Fees and Charges
  - Grants/Contributions and Partnerships
- Alternate Funding/Revenue Sources
  - Hospitality Tax
  - Capital Projects Sales Tax
  - Corporate Sponsorships
  - Partnerships
  - Foundation/Gifts
  - Intermodal Transportation and Efficiency Act
  - Federal or State Grants
  - Recreation Service Fees

- Annual Appropriation/Leasehold Financing
- Interlocal Agreements
- Private Concessionaires
- Land Trust
- Establish a Linear Park/Gateway Utility
- Naming Rights
- Cell Towers
- Private Developers
- Licensing Rights
- Capital Improvement Fees
- Merchandising Sales
- Concession Management
- Friends Associations/"Friends of the Park"
- Advertising Sales
- Easements
- Irrevocable Remainder Trusts
- Life Estates
- Permits
- Catering Permits and Services

Councilman Burgin referred to the Master Plan recommendation of additional parks in the east area of the City and indicated that two parks on the east side of town would be a great addition.

Mayor Pro Tem Woodson stated that east side residents feel they have no input in the progress of the City and parks in that area may help change that view.

Councilman Kennedy stated that Council has heard the citizens loud and clear that Lincoln Park needs improvement. He asked if Lincoln Park will eventually have a zero entry water feature. Mr. Pack indicated that this was correct. Mr. Kennedy referred to the Master Plan recommendation of having a new larger pool at the Civic Center and indicated that a new pool at the Civic Center would be impressive.

Councilman Lewis stated that Council has accomplished an impressive number of projects utilizing grants and general funds in the past eight years.

Mr. Burgin stated that the citizens were heard 10 years ago when they asked Council to maintain the existing park structures. He added that Council will continue to listen to citizen requests for future efforts if the City is financially able to do so.

Mayor Kluttz stated that she is excited about the changes and appreciates the excellent work from the consulting firm. She stated that City staff does an excellent job of planning for the future and it is important to have a plan in place in order to apply for grant or stimulus money when it becomes available. She indicated that she is very impressed with the future plans for the parks.

Thereupon, Mr. Kennedy made a **motion** to approve the 2020 Parks and Recreation Comprehensive Master Plan. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

## **PARKS AND RECREATION LINCOLN PARK SITE MASTER PLAN**

Mr. Andrew Pack, Consultant with Woolpert, Inc., addressed Council concerning the Parks and Recreation Lincoln Park site master plan. He reviewed the schedule of input meetings and workshops with the public and the overall Lincoln Park Renovation Master Plan:

### Process and Scope

- Lincoln Park Master Plan Work Items
  - Collect base data for the site
  - Use public meetings/workshop to develop program wants/needs
  - Present preferred concept to the public with the preliminary findings/recommendations of the comprehensive plan
  - Revise plan for final and provide an estimate of probable costs
  
- Program and Facility Ideas (Group 1)
  - Zero entry pool
  - Indoor/Outdoor pool
  - Larger pool at the Civic Center
  - 3 on 3 basketball as opposed to half courts
  - Shelter
  - Additional tables and benches
  - Additional landscaping
  - Splash Pad
  - Play structure/Rock climbing wall
  
- Program and Facility Ideas (Group 2)
  - Aquatic Center
  - Mushroom Waterfalls
  - Wading Pool
  - Children's Activity Pool
  - Hot-Tub/Jacuzzi
  - Concessions/Arcade
  - Signage at crossing
  - Handicap accessible
  - Zero depth
  - Maintenance
  - Lazy River
  - Whitewater
  - Personal item storage

- Lighting
- Trees
- Community/Public Art
- Perimeter fencing
- Lounge chairs
- Supervision
- Top Priorities
  - Provide a shelter
  - Additional play equipment
  - Arcade with concessions and games to generate revenue
  - Personal storage system
  - Safety (zero entry, lighting, fencing, etc)
  - Do not lose use during improvements

Mr. Pack then reviewed the graduated phases of Lincoln Park. He also reviewed a summary of costs per phase:

Phase 1: Rehab existing pool and add Spray Pad feature	\$ 248,358
Phase 2: Spray Pad and zero entry pool completion	1,037,740
Phase 3: Basketball Court (3 on 3 facility)	134,090
Phase 4: Park amenities package (play area, gaming lawn, gazebo)	148,665
Planning, Designing & Administration	<u>160,000</u>
Estimated Total for all Projects and Items	\$1,728,853

Councilman Kennedy stated that the Lincoln Park improvements will also complement the newly developed Carpenter’s Corner and allow Senior Citizens to enjoy the shelter at the park.

Mayor Kluttz stated that Lincoln Park is important to the history of the community and she is happy to see that it will be preserved and improved.

Thereupon, Mr. Kennedy made a **motion** to approve the 2020 Parks and Recreation Lincoln Park Site Master Plan. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

**REPORT – PLANNING BOARD RECOMMENDATION – SIDEWALK CONSTRUCTION**

Mr. Preston Mitchell, Senior Planner, addressed Council regarding the Planning Board Legislative Committee’s recommendation regarding sidewalk construction in industrial zoning districts. He noted that the recommendation will be made to the Planning Board at its August 11, 2009 meeting. Mr. Mitchell reviewed the history of the deliberations regarding the issue of sidewalk requirements:

## History

- April 21, 2009
  - City Council hears text amendment regarding sidewalk requirements for Infill Residential Lots
  - Business owner in Light Industrial (LI) Zoning requests similar sidewalk provisions
  - Council charges Planning Board to review sidewalk requirements for Industrially-Zoned areas
  
- May 12, 2009
  - Planning Board Legislative Committee
    - Reviewed current requirements
    - Reviewed geographic areas of LI and Heavy Industrial (HI)
    - Reviewed Sidewalk Prioritization Plan and Sidewalk Priority Index (SPI)
    - Charged staff with bringing the plan and SPI to next committee meeting to view scoring
  
- July 14, 2009
  - Planning Board Legislative Committee
    - Staff scores the Cedar Springs Road industrially-zoned areas using SPI
    - Presented other previously-scored areas
    - Concluded that sidewalk construction along with existing streets should be considered citywide based on priority not zoning district
    - Recommend using SPI to score all existing publicly maintained streets
    - Codification of City Council policy

Mr. Mitchell explained that the Planning Board Legislative Committee will make a recommendation to the Planning Board that all requirements for sidewalk be based on the SPI and should be based on priority, not on the zoning district. He added that the Planning Board Committee felt that if the sidewalk requirements were based on zoning classifications it would increase the number of requests for rezoning.

Mr. Mitchell explained the colors associated with numbers assigned to streets based on the factors and criteria used to determine the street's SPI. He indicated that the committee will recommend sidewalks be installed on any street section scoring a 40 or more and these areas would not be eligible for payment-in-lieu. A street section scoring 20-39 may construct the sidewalk or pay in lieu and receive a 50% discount on the current linear foot cost, while a street scoring less than 20 may construct the sidewalk or pay in lieu and receive a 75% discount on the current linear foot cost. He noted that streets with negative scoring will not be required to construct a sidewalk or pay in lieu. Mr. Mitchell pointed out that this recommendation was unanimously supported by the

Planning Board Legislative Committee but it wanted to seek Council's direction before taking the recommendation to the Planning Board.

Councilman Burgin asked if this proposal is only for Industrial Zoning districts. Mr. Mitchell indicated that these requirements will be for the entire City, regardless of the zoning district. Mr. Burgin stated that he is concerned because Council has fought hard for sidewalks throughout the City and it appears it is slowly losing ground in making Salisbury walkable, which was the intent of the policy to require sidewalk construction.

Mr. Mitchell noted that he will share Council's comments with the Planning Board as the committee makes its report.

Mr. Burgin stated that he does not believe the only purpose of a sidewalk is to walk from a residence to a shopping area as given priority in the SPI. He added that there are other legitimate uses of sidewalks such as for children to play or walk from one neighbor to the next neighbor. He indicated that using the formula to determine the need for sidewalks will take away from the need for reasons such as health, security of the neighbors to security of the children having somewhere safe to play away from the street. Mr. Burgin commented that Council has worked hard for a number of years to require sidewalks and he is concerned that this may cause the loss of sidewalks.

Mr. Mitchell commented that these concerns may result in the amendment of the Sidewalk Prioritization Plan. He added that when the Plan was adopted it was noted that the formula and criteria for scoring could be changed. Mr. Burgin stated that the current formula will have far more impact on how sidewalks are developed in neighborhoods without sidewalks, particularly those neighborhoods that are not adjacent to or within walking distance of shopping areas. Mr. Burgin added that he agrees that the criteria for sidewalks must be objective or it will allow the formula to be used to avoid building sidewalks.

Mr. Mitchell indicated that the Planning Board Legislative Committee specifically wanted to see how the scoring occurred as the process was reviewed using existing streets. He asked if Council would like this to go back to the Planning Board to have the formula and the pedestrian generating characteristics of the plan reviewed. Mr. Burgin stated that it is very important that it be reviewed because the formula as demonstrated to Council indicates that the neighborhoods such as Westcliffe will have less opportunity for sidewalks than a new development that could be located much farther from shopping areas. He commented that these types of issues may not have been reviewed when automatic inclusion for the sidewalk system was required.

Mayor Kluttz thanked Mr. Mitchell for the report and indicated that Council looks forward to hearing additional information on the matter in September.

## COMMENTS FROM THE CITY MANAGER

### (a) Temporary Street Closure – First Calvary Baptist Church

City Manager David Treme indicated he received a request to close South Railroad Street from East Horah Street to East Monroe Street and to close East Monroe Street from South Railroad Street to South Long Street Saturday August 15, 2009 from 10:00 a.m. until 3:00 p.m. for family day at First Calvary Baptist Church.

Thereupon, Mr. Woodson made a **motion** to close the streets as read by City Manager David Treme. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

### (b) Fiber To The Home Update

Broadband Services Manager Mike Crowell provided a Fiber To The Home (FTTH) update to Council. He introduced Mr. Jay Thomas who will serve as project manager for FTTH for Atlantic Engineering Group (AEG). Mr. Thomas reviewed his background with Council and indicated that he looks forward to creating a solid working relationship with the citizens of Salisbury.

Mr. Crowell indicated that two FTTH jobs have been advertised in the Salisbury Post. One is an Administrative Assistant and one is the Sales/Marketing position. He noted that the jobs close August 10, 2009 and he is excited to have these positions filled. Mr. Crowell stated that the Sales/Marketing person will be a key position and will begin making calls to businesses to introduce the project and will also work to determine the channel lineup.

Mr. Crowell stated that a Request for Proposals (RFP) has been issued for the design build of the head-end and bids are currently being reviewed. He noted that he hopes to bring the results to Council at its September 1, 2009 meeting.

Mr. Crowell indicated that the next RFP to be issued will be for the middle-ware and core routing which will be one of the key RFPs and one of the most complex and complicated for the project. He commented that after this RFP is completed there should be another six to eight to follow.

Management Services Director John Sofley updated Council regarding construction of the new Customer Service facility, which will house FTTH operations. He noted that advertisements for bids have taken place and all vendors must be pre-qualified and attend a mandatory pre-qualification meeting prior to August 12, 2009. He stated that bids will be due August 25, 2009 and he hopes to make a recommendation to Council at its September 1, 2009 meeting.

Mr. Sofley stated that the construction plans have been submitted to Rowan County for approval, as well as to the North Carolina Department of Insurance (NCDOI).

He noted that staff has worked with both agencies but has not yet received their comments so staff will continue to proceed because of the tight timeframe and make any adjustment necessary as addendums to the bid. Councilman Burgin agreed with the timeframe for seeking bids and noted that even if a change order is required because of an adjustment by NCDOI or the County, it is important to obtain the best prices offered in the current market.

Mr. Crowell informed Council that a Council Committee comprised of Councilman Lewis and Councilman Kennedy has been working on the brand name for the FTTH project. He stated that they have a proposed brand name, logo and tag line and hopes that the marketing campaign can be presented to Council in September.

Mayor Klutz welcomed Mr. Thomas and thanked Mr. Crowell for his report.

(c) Congestion Mitigation Air Quality (CMAQ) Sidewalk Project Report

Mr. Dan Mikkelson, Director of Engineering and Development Services, updated Council regarding Congestion Mitigation Air Quality (CMAQ) fast track sidewalk projects. He noted that the City received 100% funding for three project areas:

Statesville Boulevard	\$283,100
Salisbury High School	\$134,262
Sports Complex Area	<u>\$239,673</u>
Total	\$657,035

Mr. Mikkelson noted that in order to qualify for the funding the City must submit its Project Specifications and Environmental (PS&E) package by August 29, 2009.

Mr. Mikkelson reviewed the locations of the proposed sidewalks and details for each project:

Statesville Boulevard Sidewalks

- Neighborhood meeting at Milford Hills Methodist Church
- Good public support
- Adequate right-of-way and road shoulders
- Two to three foot grass planting strip in most areas
- Utility pole conflict at bridge
- Possibly one retaining wall

Salisbury High School Sidewalks

- Positive recommendation from Rowan-Salisbury School staff
- Will be presented to the Rowan-Salisbury Board of Education August 24, 2009
- Good support from the four affected private property owners
- Donated easements
- Two foot grass planting strips in most areas
- Low retaining walls near track and a drainage structure

### Sports Complex Area

- Neighborhood meeting at Rufty-Holmes Senior Center
- Mixed public reaction
- More constraints than other two sites
  - Ryan Street:
    - Variable width asphalt with ditches
    - Narrow right-of-way
    - Mailboxes
  - Martin Luther King, Jr. Avenue:
    - Narrow shoulders
    - Specimen tree
    - Utility vault
    - Railroad right-of-way

Mr. Mikkelson noted that because of the constraints for the Sports Complex area, the sidewalk on Ryan Street will not include a grass planting area and will be extended to a width of six feet to allow additional area for pedestrians.

Mr. Mikkelson explained that because of an existing tree located on Martin Luther King, Jr. Avenue near the intersection of Vance Avenue, staff proposes to narrow the roadway in this area to preserve the tree. He pointed out that this sidewalk project will tie into the sidewalk to be installed with the new Customer Service facility. Mr. Mikkelson noted that there will be on-street parking in front of the Customer Service facility as well as the parking allowed in front of the Sports Complex, and while narrowing the roadway near the tree will remove on-street parking for that area, it will not impact the travel lane.

Mr. Lewis asked if narrowing the roadway at the intersection of Martin Luther King, Jr. Avenue and Vance Avenue will allow for the removal of the four-way stop. Mr. Mikkelson responded that the four-way stop was necessary because of a sight distance restriction that would not be improved by narrowing the roadway.

Mr. Mikkelson informed Council that the staff has applied for American Recovery and Reinvestment Act (ARRA) funds to be used for the Greenway. He noted that the City applied for \$350,000 in ARRA funds and staff is working with a consultant to complete a floodway study in order to provide all necessary documents by the September 1, 2009 due date.

(d) ARRA Funds - COPS Hiring Recovery Program Grant report

City Manager David Treme recognized Assistant to the City Manager Doug Paris to review American Recovery and Reinvestment Act (ARRA) grant funds.

Mr. Paris commented that the Federal government made \$787 billion available through the American Recovery and Reinvestment Act and although the City had hoped

the funds would be directed directly to local governments, the funds are allocated to the States for distribution. He noted that the way local governments access the funds is through formula distributions or competitive applications.

Mr. Paris reviewed the funds awarded to Salisbury to date:

Block Grant-Recovery (CDBG-R)	<u>\$ 82,747</u>
Total	\$1,189,397

Police Chief Mark Wilhelm indicated that the City applied for Community Oriented Policing Services (COPS) Hiring Recovery grant in order to maintain existing positions within the Police Department. He noted that the City was awarded \$646,924 which will allow the Police Department to maintain four Police Officer positions. He commented that this will allow the positions to be maintained for a period of three years.

Mr. Paris stated with the addition of the COPS Hiring Recovery grant funds, the total ARRA funds received by the City are \$1,836,321. He stated that staff will launch a new campaign in the coming weeks to seek energy funds through the State of North Carolina and noted that the focus of this grant will be to upgrade the City Office Building on North Main Street.

Mayor Kluttz thanked Mr. Paris and Chief Wilhelm for pursuing these grants and their diligence in obtaining this money for the City.

(e) North Carolina State Budget

City Manager David Treme informed Council that after lengthy debate the North Carolina Senate voted 27-17 to adopt the State budget. He noted that he and Assistant to the City Manager Doug Paris will review the adopted budget to determine what impacts it may have on the City’s budget. He noted that once he has a chance to review the adopted budget he will report to Council if a plan is needed to address any negative impacts.

**MAYOR’S ANNOUNCEMENTS**

(a) Read to Your Child Days: Salisbury-Rowan READS!

Mayor Kluttz announced that the City of Salisbury and Rowan County will sponsor “Read to Your Child Days: Salisbury-Rowan READS!” every Wednesday through August 12, 2009 from 5:00 p.m. – 7:00 p.m. at the following locations:

- August 5 – East Rowan Branch, Rowan Public Library
- August 12 – Cleveland Town Hall

Mayor Kluttz thanked Public Information Manager Karen Wilkinson for her work to coordinate the reading events. She thanked Spencer Mayor Jody Everhart and East Spencer Mayor Erma Jefferies for their work for the event held at Spencer Library Park July 22, 2009. She also thanked China Grove Mayor Don Bringle, Landis Mayor Dennis Brown, and Kannapolis Mayor Robert Misenheimer for their work for the event held at the South Rowan Library July 29, 2009.

Mayor Kluttz noted that Ms. Wilkinson will report on all five events at Council's next meeting.

(b) Council Candidate Information Session

Mayor Kluttz announced that a Council Candidate informational session will be held for all City Council candidates Thursday, August 6, 2009 from 5:00 p.m. until 6:30 p.m. in Council Chambers at City Hall.

(c) Downtown Salisbury 80s Night Out

Mayor Kluttz announced that Downtown Salisbury, Inc. will host 80s Night Out Friday, August 7, 2009 from 5:00 p.m. until 9:00 p.m. in downtown Salisbury.

(d) National Night Out

Mayor Kluttz announced that National Night Out events will be held Tuesday, August 4, 2009 at the following locations:

- Park Avenue at Cannon Park
- VA Community Watch, 1400 block of Walker Street
- Coburn Memorial United Methodist Church, 901 South Church Street
- Fulton Heights at Centennial Park
- Laurel Pointe Apartments Community Watch, 100 Laurel Point Circle

(e) 5th Annual Giordana Crossroads Classic Race

Mayor Kluttz announced that the 5th Annual Giordana Crossroads Classic bicycle race will be held Thursday, August 5, 2009 in downtown Salisbury, with the first race beginning at 6:15 p.m.

**ADJOURNMENT**

**Motion** to adjourn the meeting was made by Mr. Burgin, seconded by Mr. Woodson. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 6:19 p.m.

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Susan Kluttz, Mayor

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Myra Heard, City Clerk