

REGULAR MEETING

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

ABSENT: None.

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Mayor Pro Tem Paul Woodson.

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:

Omit Item 14 – Council to receive a presentation from staff regarding game plans for City Council Outcome 10: Streamline the development review process and ordinances.

STUDENTS IN TRAINING, INC.

Students In Training, Inc. (SIT) participants Ms. Kristen Phillips, Mr. Drew Ramsay, Mr. Clayton Price, Ms. Madison Burke, and Ms. Tracy Link addressed Council. Ms. Phillips explained how SIT serves the community and displayed photographs of the facility. Mr. Ramsay stated that SIT is an after-school organization that provides training for students, refurbishes computers for low income families and non-profit organizations, and also designs web-sites for non-profit organizations. He pointed out that income from SIT projects provide scholarships for students. He noted that SIT needs \$53,000 to continue operations through December, 2006 and asked Council for their support. Mr. Price, Ms. Burke and Ms. Link explained their various roles and experiences with SIT and noted that they are currently local but plan to seek nationwide services.

Ms. Myra Meyerhoeffer stated that she is a SIT volunteer parent and explained how beneficial this program has been to her son Nolan. She added that the program could change students' lives if it could be incorporated with the school system.

Mayor Kluttz stated that she had the opportunity to visit the SIT facility and was impressed with their work. She added that the organization is a benefit to education, the environment and low income families who need a computer and congratulated Mr. Charlie Patton, SIT Founder, for bringing this to the community.

CONSENT AGENDA

- (a) Approve Minutes of the regular meeting of August 1, 2006.
- (b) Approve the following group development sites:
- G-07-95 Alexander Pointe, 866 Jake Alexander Blvd., West
 - G-02-02 Ashton Manor-Royal Homes, 200 Block Sunset Drive
 - G-16-06 Power Curbers, Inc, 727 Bendix Drive

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

VOLUNTARY ANNEXATION OF 50.956 ACRES ON HENDERSON GROVE CHURCH ROAD

(a) Mr. Patrick Ritchie, Staff Engineer, stated that the City has received a petition from Fowler, Safrit and Eller to annex property located on Henderson Grove Church Road. He noted that the property borders the City's Extra Territorial Jurisdiction (ETJ) area. He noted that the petition for annexation was presented at the August 1, 2006 Council Meeting and a public hearing was set. He explained that if Council decides to proceed with the annexation, an ordinance will need to be adopted setting an effective date of August 31, 2006, as requested by the petitioner.

Mayor Kluttz explained that the item before Council today addresses the annexation petition only and not a potential rezoning.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, to consider annexing 50.956 acres on Henderson Gove Church Road to extend the corporate city limits of the City of Salisbury.

Mr. Vic Shue, 710 Peach Orchard Road, stated that the majority of the residents do not oppose growth but oppose rezoning and annexation for use by an asphalt plant. He added that this seventy-three (73) acre tract would be better used for businesses for which it is currently zoned. He stated that the sole reason the petitioners are seeking annexation into the City is because there was doubt that Rowan County would allow the placement of an asphalt plant in this location. He asked Council if the present asphalt plant on Jake Alexander Boulevard were to close, would they bring another asphalt plant into Salisbury. He added that the current asphalt plant is a black eye for the City. He noted that Council visited an asphalt plant in Concord and asked if they were so impressed with the Concord facility, why did they vote against the current Salisbury asphalt plant expansion. He explained that the M-2 Heavy Industrial zoning is the only one that will allow the placement of the asphalt plant on this property and asked Council to stand by the Planning Board's rezoning denial.

Ms. Nancy Shue, 710 Peach Orchard Road, stated that she feels the rezoning request runs concurrently with the annexation request and feels it is appropriate to address rezoning. She stated that the land is currently zoned CBI County Business Industrial and is a good neighbor, but to rezone to M-2, which is the only zoning that will allow the asphalt plant, would not make a good neighbor to homes, businesses and schools. She noted that the asphalt plant will need a special use permit and feels that if this property is annexed and rezoned the next step will be to grant the permit. She noted that Mr. Glenn Ketner, Jr. represented Associated Asphalt at a February 13, 2001 Planning Board meeting, and at the meeting he stated his client's property investment was based on existing use and zoning and that rezoning would take away the vested rights and diminish the value of his client's property. She added that this statement is still true today to those who oppose the rezoning. She stated that she feels there are other areas more suitable for this type of rezoning and asked Council to deny the annexation request and rezoning.

Mr. Scott Shue, 690 Lake Wright Road, stated that the Henderson Grove Church Road property is similar to spot zoning. He noted that the annexation and rezoning is not consistent with the City's Vision 2020 Comprehensive Plan. He stated that if Council approves the annexation they will have the authority to rezone the area and issue a special use permit, and will be politically insulated from the voting citizens surrounding the annexed property. He commented that he feels Council has not demonstrated concern for the surrounding community. He explained that the new facility will produce three hundred and fifty (350) tons of asphalt per hour which will generate two hundred (200) truck loads of asphalt per day and one hundred fifty (150) truck loads of aggregate being delivered per day. Mr. Shue stated that the annexation and rezoning request only benefits the seller and not the surrounding community. He noted that at the February 21, 2006 City Council meeting, Councilman Burgin stated that he appreciates the requirement of a special use permit but he feels that in regard to quality of life issues, the experience Council has had with these facilities has not been good. He explained that Mr. Burgin also stated at the February 21, 2006 meeting that he supports zoning asphalt plants out of the City because the essence of the City is that the citizens live closer together and he did not see any good scenarios for these facilities in the City. Mr. Shue stated that at the same City Council meeting Mayor Pro Tem Woodson indicated that he did not see why Council has to allow the use and that Council has had problems with this type of facility. Mr. Shue added that it appears Council has found a way to push this to the outer edge of the City.

Ms. Melissa Parrish, 9903 Liberty Bell Court, Charlotte, North Carolina, stated that she lived in the Peach Orchard Road community for the first twenty two (22) years of her life and still has family in the area. She pointed out that only the landowners will benefit from the annexation and that it will be detrimental to the residents and community as a whole. She noted that there is a potential for noxious odors, noise, contamination of drinking water wells, loss of enjoyment of property, loss of property values, as well as interference with health safety and general welfare. Ms. Parrish stated that the current CBI zoning is acceptable to most residents because it does not permit anything detrimental to the community. She added that annexation for the purpose of rezoning to M-2 is not progress but relocating an old problem to a new area. She reviewed sections of the City's Vision 2020 Comprehensive Plan that do not support this type of proposal. She concluded by stating that this is not the proper zoning for the community.

Mr. Jessie Watson, 835 Peach Orchard Road, stated that Mr. Preston Mitchell indicated at a Planning Board Meeting that there is no existing established neighborhood in the vicinity. Mr. Watson pointed out that it is a neighborhood and has been all of his and his parent's lives. He stated that M-2 zoning of the proposed annexation property is not consistent with surrounding property which is zoned residential, agricultural, M-1 Light Industrial, or CBI. He indicated that he feels the rules are set up against the citizens. He stated that no one would annex this property unless they have other plans for it and added that the future plan for this property has to be reviewed. Mr. Watson pointed out that he has a petition signed by ninety-five (95) percent of the residents who live within a one (1) mile radius of the property who are opposed to the asphalt plant in their neighborhood. He also pointed out that the Planning Board voted against the rezoning and it should have creditability with the Council. He stated

that the property owners only want annexation for the purpose of getting M-2 zoning. He concluded by stating that he wants to believe that Council is above board and will vote accordingly.

Ms. Shirley Hoosier, 406 Porter Road, stated that she is opposed to an annexation that would allow the possible relocation of an asphalt plant to the property and added that she also opposes the rezoning from CBI to M-2 to allow heavy industrial use. She noted that this residential area is better suited for light industrial use as it is currently zoned. She pointed out that at the March 20, 2001 City Council meeting, Council voted to change the zoning at the present asphalt plant from R-1 and M-2 to B-6 General Business and feels this was done to keep the asphalt plant from expanding in its current location. She feels an asphalt plant in this area would be detrimental due to odors, possible soil contamination or contamination of Towne Creek, and would prevent more suitable businesses from locating in this area. She noted that the new Koontz Elementary School and Southeast Middle School are both located within one (1) mile of the proposed annexation property. She also pointed out that the County has tried to develop Summit Corporate Center and feels an asphalt plant would take away from developing this site. Ms. Hoosier commented that the new midget track is a nice facility and this plant would not be a good welcoming to family activities in the area. She asked Council to deny the annexation petition and rezoning of this property.

Mr. Henry Saine, 1351 Henderson Grove Church Road, stated that he lives within three hundred (300) feet of the area and has lived there for thirty-two (32) years. He feels there would be no purpose for the City to annex this property. He indicated that this parcel of property does not represent the neighbors who live around it and he feels that if the property is rezoned it will open the door to other heavy industrial businesses. He explained that with the lay of the land water drains down to the proposed property and if the established trees are cut down, the water which carries contaminants, will run into Towne Creek and eventually into the Yadkin River. He stated that there are fifteen (15) houses within three hundred (300) to five hundred (500) feet of the site and asked Council to consider all the facts before making a decision.

Mr. Don Menius, East Ritchie Road, stated that the proposed area is within one thousand (1,000) feet of I-85 and is very close to the new elementary school. He noted that a southern wind will carry the asphalt plant odor to Jake Alexander Boulevard and will affect hotels and restaurants. He read a letter from the Elizabeth Duncan Koontz Elementary School PTA stating their opposition to the rezoning of the parcel on Henderson Grove Church Road to M-2 to provide a location for an asphalt plant that would impact the daily environment around the school. Mr. Menius concluded by saying that the teachers, students, and staff deserve to have an environment that is free of outside pollutants, and that Council's decision can play a major role in the educational and physical outcome of this and future generations.

Mr. Robert Safrit, 1371 Henderson Grove Church Road, stated that he is opposed to the annexation and rezoning to M-2. He indicated that he is speaking on behalf of seniors who live on Henderson Grove Church Road, noting that he and another senior neighbor have breathing problems and other neighbors have physical disabilities. This group does not feel that the asphalt plant would benefit the community. He explained that last year there were three (3) school buses that traveled the road daily and there will be more this year due to the new school. He stated that he does not feel they are ready for an asphalt plant.

Mr. Harold Poole, 310 Winterlocken Drive, stated that he is opposed to the proposed annexation, the M-2 zoning and the intended placement of an asphalt plant on this property. He noted that the property is located a little over one (1) mile outside the City limits and if annexed, will take in no citizens and will stretch many City services such as fire and police protection and garbage collection. He pointed out that an asphalt plant will have a negative impact on the area by reducing the neighborhood residents' quality of life and will reduce the value of housing. Mr. Poole stated that the asphalt plant located in Concord is located in a heavy industrial area with no housing within one half (1/2) mile and added that this is the type of site needed in Salisbury. He indicated that the proposed property is zoned ED-3 and not CBI. He explained that APAC Carolina, Inc. is located on over six and four tenths (6.4) acres and asked if the new asphalt plant will cover the entire fifty (50) acres or will there be other uses on the site. He stated that based on the current tax value, the property would only generate \$168 per year in revenue for the City. He concluded by stating that Council states they are for neighborhoods and asked why they are considering annexation in an area where the residents can not vote.

Mr. Glenn Ketner, Jr., 121 East Kerr Street, stated that he represents Mr. and Mrs. Jim Fowler, Mr. and Mrs. Jim Safrit and Mr. and Mrs. Tommy Eller. He pointed out that annexation is the issue today and not rezoning. He noted that his clients requested annexation and feel that they have met the requirements and respectfully request the adoption of the ordinance to annex the property.

Ms. Nancy Gaskey, 1765 Henderson Grove Church Road, stated that she lives in the proximity of Peach Orchard Road and I-85 and her property borders the land handled by Mr. Fowler. She explained that the road is bad and cannot handle the truck traffic that would be created by a heavy business and added that a bridge will have to be replaced and the road will have to be reworked. She stated that three (3) school buses travel this road at least two (2) times a day. She indicated that the back of the property proposed for annexation is in the flood plain and this is why Mr. Fowler has been unable to sell the property. She pointed out that she likes where she lives and does not want any kind of offensive business to locate there. She stated that her property has the most water flow and she would like to get Towne Creek cleaned so it does not back flow onto Henderson Grove Church Road during heavy rains.

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

Mayor Pro Tem Paul Woodson complimented the citizens who spoke during the public hearing and noted that while Council is dealing with the issue of annexation, it still understands that the annexation is connected to rezoning and an interest in the property by an asphalt plant. Mr. Woodson stated that after visiting the new asphalt facility in Concord he feels that a new plant will be much better than the old one and will not have the odors and the problems of the old plant. He added that he sympathizes with the residents on Henderson Grove Church Road and he is concerned about the number of trucks that will be traveling on the road if the asphalt plant should relocate there. He commented that Council is faced with situations where it has to find a balance between industrial, residential, and business opportunities and commented that Council has not made any deals regarding any

proposals for the site. He reiterated that he is concerned about the increased number of trucks on the road and while the issue of annexation is the only issue before Council today, the issue does involve rezoning which may or may not be approved at a later time.

Councilman Lewis stated that he acknowledges that no one would want an asphalt plant built next to their property and added that he also acknowledges that roads must be built and asphalt must be produced. He commented that he expects staff to provide quality customer service and assistance to any business or industry, as well as any individual, who wishes to build or expand. He noted that this is a scenario where an existing business approached staff and indicated that it would like to expand. Since the business cannot expand at its current location it began to look for appropriate sites and found one it thought might work. Mr. Lewis stated that the business then asked staff how it could relocate to the site it desired to purchase. Staff explained the process of satellite annexation, rezoning, and the special use permit process. Mr. Lewis indicated that staff attempted to define asphalt plants as a use within the City Code because it was not included. As part of the process to add the definition, City Council toured a new asphalt facility located in Concord and Mr. Lewis indicated that he felt the industry was doing the best it could do to minimize any sort of irritants to any of its neighbors. He stated that this process has not been initiated by the City, and the City Council has not conferred on the effort to bring the asphalt plant to this particular site. He added that it might appear that staff is trying to move Council in this direction but they are only doing their job to assist a property owner in what the owner is trying to accomplish. Mr. Lewis stated that he recognizes that the residents opposed to the asphalt plant are not part of the Salisbury citizenry and questioned if Council is trading a problem on Jake Alexander Boulevard, that is affecting citizens that elect Council, to another location for those problems to affect other citizens whom Council does not represent. He noted that he is struggling with this issue. He commented that the motivation of bringing the property into the City is questionable and he does not feel he can disassociate the planned use from the annexation. Mr. Lewis pointed out that while the annexation does meet all Code requirements, Council is not obligated to accept the property. He stated that while he would like to have an asphalt plant that is in an appropriate location in the County, there is not a good Land Use Plan for the County and this issue is a result of not having a Land Use Plan in place. He added that he does not see any reason why Council should accept this property.

Councilman Kennedy indicated that he has always been an advocate for growth of the City and annexation but in looking at this annexation he does not feel it can be separated from its intended use. He stated that he cannot vote to annex the area because he does not feel the City can afford to provide City services to the area. Mr. Kennedy added that if the property is rezoned he does not feel the area can tolerate additional traffic and noted that there are also new schools being built in the area. He commented that he has never made a decision without hearing all deliberation on an issue but he will not support the annexation today and will not support the rezoning to M-2 if it comes back at a later time. He indicated that he wants the property owners to know where he stands so that there are no false hopes because he cannot support annexation for this property.

Councilman Burgin stated that this annexation case is probably one of the most difficult that Council has faced because it addresses a use that a community has to have but no one wants located beside of their property. He added that unless everyone parks their cars, an asphalt plant needs to exist in the Salisbury locality. He noted that Council did not request this piece of property to come before them for consideration, but since it is before Council he would like to address as many of the issues related to an asphalt plant as possible. Mr. Burgin stated that he understands that the residents are opposed to the asphalt plant at this location because they do not want it beside of their property, and added that the issue facing Council is that there must be an asphalt plant located somewhere in the community. He commented that he still believes the current facility would be quite different, and noted that the new plant in Concord is built and operated to meet Environmental Protection Agency (EPA) standards, which the old facility in Salisbury does not. He added that it is also located on a larger site and while he does not know if there will be other development on the site, he feels having the facility on a larger site would improve the situation. Mr. Burgin stated that he is trying to weigh the tension that exists between what neighbors do not want and what Council knows the community must have and it is a very difficult decision. He indicated that he is deeply troubled by the fact that the residents in this area do not vote for Council because they will not have the ability to translate their feelings regarding Council action into votes. Mr. Burgin commented that he is willing to discuss this issue beyond annexation because he does not feel it will get any easier. He stated that before this particular option is disregarded he would like to collect more information before voting, and added that he does agree there is a connection between the annexation and the rezoning issue and its potential use. He commented that he is in favor of continuing to study this issue in order to have all of the information from the beginning of the process.

Mr. Woodson agreed with Mr. Burgin and indicated that he is not ready to vote today. He stated he would like to determine the impact of the trucks and the school buses and would like to study the issue further.

Mayor Klutzz indicated that this is a difficult situation for Council because today's vote is technically just annexation, not rezoning or a special use permit. She commented that annexation is generally not a popular issue but is something that is necessary for the City to grow. She added that when the City looks into annexation there is a reason, but she does not feel that the Council has been given a good reason to annex this property. She stated that this Council has gone on record in support of neighborhoods and she does not believe it makes a difference whether the neighborhood is in the City or in the County, and while the technical definition of a neighborhood might be different, she feels this is definitely a neighborhood. Mayor Klutzz stated that she feels Council must take into consideration how the neighbors surrounding the site feel about the issue. She indicated that Council could continue to look into the annexation with the understanding that there is no promise for rezoning.

Mr. Woodson stated that he feels a big issue will be the impact of two hundred (200) to three hundred (300) trucks per day in this area. Mayor Klutzz noted that the impact of the trucks was really a zoning issue and the question is would Council like to have the property in the City with any other kind of zoning. Mr. Woodson commented that he feels the property owners need to indicate that they want to be in the City regardless of zoning and the asphalt plant. He added that he wants to make all parties understand that if the property is annexed the owners will have to pay City taxes even if Council does not rezone the property.

Mr. Kennedy commented that there is a recommendation from the Planning Board that will be coming to Council regarding the rezoning, so the process has already been initiated and is in the pipeline. He noted that he is voting against the annexation because he does not want the property owners to think he will vote in favor of the rezoning because he will not vote for M-2. He added that he also attended the asphalt tour in Concord but he noticed that there were no houses surrounding the area because it was all zoned M-2. He noted that he understands there is a need for asphalt but it must be located somewhere that it does not affect the neighbors.

Mr. Lewis questioned why the property owners are requesting to come into the City and asked if it is because the County does not allow asphalt

plants. Mr. Burgin responded that this was his understanding and added that it would be easy for Council to say no to the plant but it does not solve the problem that there is a need for asphalt in the community. He added that by studying this issue further Council might be able to develop acceptable criteria for locating an asphalt plant in the community. He commented that this issue is not going to get any easier and he is not willing to take the easy way out and say no to the annexation because in looking at the big picture, the community needs to have an asphalt plant. Mr. Burgin stated that he feels it would be an advantage to separate the two types of asphalt plants in order to better identify a plant that might be causing problems.

Mr. Woodson commented that he wants to treat all parties involved fairly and he feels Council needs to study the issue further to do this.

Mr. Kennedy suggested tabling the issue to give Council an opportunity to visit the site and surrounding area.

Mayor Kluttz asked if the annexation vote could be held at the same meeting as the rezoning hearing. City Attorney Rivers Lawther responded that the property will have to be part of the City before Council can consider the rezoning. He explained that the property owners were able to seek a Planning Board recommendation subject to the site being annexed into the City, but it must be part of the City before Council can consider rezoning. He added that he feels there would have to be at least one meeting between the two decisions as they are two separate issues.

Thereupon, Mr. Kennedy made a **motion** to table the annexation until Council has the opportunity to tour the site. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson and Mr. Kluttz voted AYE. (5-0)

Mayor Kluttz thanked everyone involved in the issue for addressing Council and providing information. She assured those present that Council will study the issue before any decision is made.

Mr. Burgin indicated that he would like to notify someone from the group in attendance today of any meeting Council might have to discuss the issue. Mayor Kluttz stated that public notice will have to be given when all Council members get together and the public will know when a meeting is established. She also pointed out that the City Clerk may be contacted at her office to answer any questions regarding a public meeting notice.

GROUP DEVELOPMENT SITE PLAN G-14-06 CRACKER BARREL, 900 BLOCK OF FREELAND DRIVE

(a) Mr. David Phillips, Zoning Administrator, informed Council that group development site plan G-14-06 is for a proposed Cracker Barrel to be located on outparcel 1 of the Salisbury Retail Center. He reviewed a vicinity map of the property and noted its location on Freeland Drive adjacent to Arlington Drive and Wal-Mart. He also reviewed aerial photographs of the property and noted that it is currently zoned B-4. He stated that the site will share a driveway with an adjacent outparcel and will have adequate parking and interconnectivity with adjacent outparcels. He added that the site will also have interconnectivity to property with frontage along East Innes Street. Mr. Phillips noted that when the Salisbury Retail Center was being discussed as a whole, one of Council's concerns was interconnectivity with adjacent property and this has been provided on the site plan. He referred to a note on the site plan drawing that states the access connectivity will be granted to the adjoining land owner's property subject to an executed access agreement and that no monetary compensation will be provided.

Mr. Phillips indicated that the landscape plan has been reviewed by the Technical Review Committee for alternate methods of compliance. He explained that one reason for this is because there is a shared driveway and the property line runs down the center of the shared driveway so staff allowed the landscaping to be placed at the far side of the driveway. The developer will add additional landscaping parallel to Interstate 85.

Mr. Phillips referred to the grading plan and noted that the overall site plan for the Salisbury Retail Center was approved to be graded at an average of seven hundred eighteen (718) feet. He noted that for the Cracker Barrel site the developer wishes to keep the majority of the site at seven hundred twenty-one (721) feet. While this will be three (3) feet above the Salisbury Retail Center, Mr. Phillips indicated that staff feels it will not affect any of the interconnectivity of the height of the retaining wall and recommends it be approved for the seven hundred twenty-one (721) feet. He referred to a ground photograph of the site from Interstate 85 and noted that the site will still be lower than Interstate 85.

Mr. Phillips stressed that this is an outparcel of the Salisbury Retail Center which is being developed by the Spectra Group. He noted that although the site plan has been approved by Council for preliminary creation of the outparcel sites, until the Salisbury Retail Center's final plat is approved, the Cracker Barrel site will be on paper only and will not be able to be sold or permitted. He stated that this plan is still contingent upon improvements being made to the entire eight (8) acre tract of land for the Salisbury Retail Center.

Mr. Phillips informed Council that because the Cracker Barrel building will be located so far off of Freeland Drive, the Fire Department was concerned about having ample fire fighting protection and adequate water flow and access to the site. He noted that the developer will have to provide temporary access to the site during construction to meet this concern. He stated that the Planning Board unanimously recommended approval to City Council.

Mayor Kluttz referred to a note added to the overall site plan but was not part of the site plan approved by City Council and indicated that it was not something decided by Council. She pointed out that the note was also on the Cracker Barrel site plan and read the note which states, "Access connectivity will be granted to the adjoining landowner's property subject to an executed access agreement." City Attorney Rivers Lawther stated that he does not recall an access agreement being required or even mentioned by Council in its motion to approve the site plan. He stated that there is supposed to be connectivity between the two properties with no reference to an agreement. Mayor Kluttz confirmed that Council required the connectivity but did not require it contingent upon any agreement. Mr. Lawther stated that the note does not reflect the Council's motion and should not be on the site plan.

Councilman Burgin stated that at Council's last meeting the essence of the discussion for approval of the site plan was the issue of connectivity. Mayor Kluttz questioned how to correct something that should not have been included on the site plan. Mr. Burgin commented that if their site plan comes through the process with the note attached he will not vote to approve any associated site plans because the required connectivity was not

honored and that was the essence of the issue debated by Council.

Mr. Dan Mikkelson, Director of Land Management and Development, suggested that the site plan for Cracker Barrel be approved conditional upon the access notation being removed.

Mr. Burgin stated that Council approved the overall site plan conditional upon the connectivity issue and the plan did not come back as Council intended. He added that until he sees the site plan the way it should be he will not support the associated site plans and he feels they have circumvented the issue Council worked to resolve at its previous meeting.

Mr. Mikkelson indicated that an alternate process is to bring a corrected site plan for the Cracker Barrel site, as well as the overall Salisbury Retail Center plan, back to Council.

Mayor Kluttz asked Council if they wished to hear public comment on the site plan today or wait until the corrected plan is presented. She noted that the Site Development Manager from Cracker Barrel is present if Council would like to hear from him.

Councilman Lewis noted that this development is not just one property owner developing his property but there are other development companies and adjacent property owners and Council has not heard from all of the parties involved. He indicated he is in favor of receiving public comment.

Mr. Lawther noted that the representative from Cracker Barrel could authorize changing his site plan to correct the notation.

Mr. Kevin Kerbo, Site Development Manager for Cracker Barrel, apologized to Council for the note being included on the site plan. He stated that his staff worked quickly to get everything on track and to the Technical Review Committee, but this was no excuse and the note will be taken off. He stated that Cracker Barrel wants to be here and is aware of the interconnectivity requirement and has no problems with it. He noted that the company has no intention of hindering interconnectivity and understands why Council is requesting it. Mr. Kerbo stated that Cracker Barrel has looked at this site for some time and feels they are getting close.

Mr. Burgin indicated that he is one of the biggest fans of having Cracker Barrel in the community and approval of this site plan should have been easy. He reiterated that Salisbury wants Cracker Barrel.

Mayor Kluttz noted that Council's frustration is with something that happened before Mr. Kerbo's site plan.

Mr. Kerbo thanked staff for working with him and noted that they have always responded in a very timely manner.

Councilman Lewis commented that if the petitioner will allow the removal of the statement he could agree to approve the site plan. Mr. Mikkelson asked for clarification of the note to be removed, pointing out that the note was added at Council's request with the exception of one line that is not consistent with Council's intent.

Mr. Lewis stated that the note could read, "Access connectivity will be granted to the adjoining landowner's property for no monetary compensation."

Mr. Lawther commented that the reason the note was added is because the developer was allowed to stop approximately ten (10) feet short with their construction of the road because the access easement will not be utilized until the adjoining property owner develops their property. That developer will then have to connect across the easement and will have to pay for the cost of the construction, but will not have to pay the property owner to connect.

Mr. Burgin stated that he would like to see the corrected site plan before voting.

Mr. Lawthers stated that he agrees with Councilman Burgin and while Council wants to save Mr. Kerbo a trip from Tennessee, Council can approve the site plan at its next meeting without Mr. Kerbo having to be in attendance.

Mr. Burgin reiterated that approval of this site plan should have been automatic had it not been for the addition of the note.

Mr. Lawther stated that Cracker Barrel will get a deed from Spectra Group and Spectra's site plan has the note as well. Mayor Kluttz noted that Spectra's site plan needs to be corrected regarding the retaining wall and the connectivity.

Thereupon, Mr. Lewis made a **motion** to table group development site plan G-14-06 until Council's next meeting. Mr. Woodson seconded the motion. Mr. Burgin noted there was discussion regarding the height of Cracker Barrel in relation to the rest of the site but he feels satisfied with this because he has been informed that the edge of where the connectivity is made is consistent with what Council expected at its last meeting. Mr. Mikkelson confirmed that this is correct. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

Mayor Kluttz thanked Mr. Kerbo for being present and for his willingness to work with Council, adding that Council looks forward to having Cracker Barrel here.

GROUP DEVELOPMENT SITE PLAN G-09-91 SALISBURY TRAIN STATION PLATFORM, 215 DEPOT STREET

(a) Mr. David Phillips, Zoning Administrator, reviewed ground photographs of the Salisbury Train Station and displayed site plans for a proposed

passenger canopy that will run parallel with the train tracks with a connecting canopy to the main building. He reviewed photographs of the High Point, North Carolina train station with a similar canopy. He noted that the Historic Preservation Commission has reviewed and approved the design as being in compliance with the City's historic guidelines. He added that the plans have also passed through staff review and the Planning Board and all recommend approval as submitted.

(b) Mayor Kluttz opened the floor to receive public comment regarding site plan G-09-91.

There being no one to address Council regarding the group development site plan, Mayor Kluttz closed the public comment session.

(c) Thereupon, Mr. Woodson made a **motion** to approve Group Development Site Plan G-09-91 for the construction of a 5,000 square foot rail platform canopy to be located at 215 Depot Street. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

Mr. Burgin stated that this is significant for the City as it acknowledges the importance of the train depot to the State of North Carolina.

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GROUP DEVELOPMENT SITE PLAN G-17-06 SALISBURY VILLAGE CENTER, 475 JAKE ALEXANDER BLVD., WEST

(a) Councilman Lewis indicated he needed to be excused from G-17-06.

Thereupon, Mr. Woodson made a **motion** to excuse Councilman Lewis. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Woodson, and Ms. Kluttz voted AYE. (4-0)

b) Mr. David Phillips, Zoning Administrator, stated that the development site is located on outparcel three (3) of Salisbury Village Center located on Jake Alexander Boulevard West. He reviewed area photographs and site plans for the proposed building. He noted that the property is zoned B-7 Limited Business, which allows retail trade and will have one (1) or two (2) restaurants and retail establishments. He explained that the site plan is for a ten thousand five hundred (10,500) square foot building that will be accessed through two (2) driveways constructed at the rear of the outparcel to allow ingress and egress from the site. He added the plan will have tiered parking areas in front of the building and the back will have seventy-seven (77) parking spaces. This is more than the forty-three (43) minimum requirement for parking spaces. He stated that the landscaping meets all requirements and noted that the property line is located in a shared driveway. With the original Salisbury Village plan, Council approved a planted median with the two outparcels not being required to have landscaping adjacent to the driveway. Mr. Phillips reviewed pictures of similarly constructed buildings. He explained that staff was concerned with the placement of the proposed building and felt that it should be kept in-line with the bank already constructed on the adjacent parcel. He added that this concern was presented to the Planning Board but since it meets all technical parts of the Code, the Planning Board recommended approval as submitted.

(b) Mayor Kluttz opened the floor to receive public comment regarding site plan G-17-06.

There being no one to address Council regarding the group development site plan, Mayor Kluttz closed the public comment session.

Councilman Burgin stated that he would like to see the building line up with the bank and even though it is not technically required in the ordinance, he feels there is significant value in requiring this in the plan. He added that he feels it will improve the site plan and since there are excess parking spaces it should not hurt the business. He asked if there was any discussion in connecting this parking lot to the adjacent parking lot to the right of the outparcel.

Mr. Phillips stated that this was brought up in the Technical Review Committee (TRC), but because of future connectivity that runs along back of the outparcels there will be access from the drive to the next parcel.

Councilman Woodson asked about the length of the set back. Mr. Phillips stated that the bank is approximately seventy-five (75) feet back. Mr. Burgin stated that there should be double loaded parking on the front side of the building and that this would be close to twelve (12) feet.

Mr. Phillips stated that in the proposed plan, the front of the building lines up closely with the drive-through, so it would have to be moved approximately eighteen (18) to twenty-two (22) feet.

Mr. Burgin stated that he does not feel that this would be a burden on the developer and will make it more consistent. He added that he feels it would be a good idea to move the proposed building forward.

(c) Thereupon, Mr. Burgin made a **motion** to approve the site plan subject to bringing the building forward to create a double loaded parking on the front and double lane parking on the back. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Woodson, and Ms. Kluttz voted AYE. (4-0)

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GROUP DEVELOPMENT SITE PLAN G-15-06 CAROLINA BOAT CENTER, 650 WEST RITCHIE ROAD

(a) Mr. David Phillips, Zoning Administrator, stated that the proposed site plan is for property located at 650 West Ritchie Road and reviewed an aerial photograph of the site. He noted that the submitted plan is for an existing facility, which was the former Moose Lodge building, with existing parking. He explained that the proposal is for a three thousand two hundred (3,200) square foot maintenance addition to be used for boat service work and will be connected to a ten thousand (10,000) square foot existing building. He indicated that there is existing landscaping on each side of the

property and additional landscaping will be installed along the street front. He reviewed photographs of the existing property and noted that a lot of the existing asphalt will be removed. He stated that the plans have been reviewed by staff and the Planning Board and noted that one (1) adjacent property owner expressed concerns at the Planning Board meeting. He added that the Planning Board recommended approval of the site plan as submitted.

(b) Mayor Kluttz opened the floor to receive public comment regarding site plan G-15-06.

Mr. Andre Alexander, 740 West Ritchie Road, stated that when the area was first annexed he was given a grandfather clause because of the trees on his property. He noted that the Moose Lodge was not built to Code and there is no wall between the lodge and his property to catch any possible falling trees. He indicated that he is concerned about his trees falling and causing damage to the boat center and that he or his children may be held responsible. Mr. Alexander stated that he did not have anything in writing regarding the grandfather clause. He stated that he asked the City to research minutes and provide him with the information but the City had been unable to find anything in minutes regarding his property or a grandfather clause.

Mayor Kluttz asked Mr. Alexander to explain what he means by being 'grandfathered.'

Mr. Alexander stated that at the meeting to rezone the property to M-1 Light Industrial, he informed the group that the Moose Lodge was not built to code and that there was no wall constructed for protection from the surrounding trees. He stated that at that meeting it was agreed he would be grandfathered.

Councilman Kennedy asked Mr. Alexander if he is concerned about his trees falling on Carolina Boat Center's boats. Mr. Alexander responded that this is his concern. He said that he would like something in writing from the City stating that he is grandfathered.

Mr. Blair Crouse, Carolina Boat Center, stated that he is one of the property owners and is asking for approval of the site plan, adding he appreciates staff's work on this.

There being no one to address Council regarding the group development site plan, Mayor Kluttz closed the public comment session.

Mayor Pro Tem Woodson stated that he feels this addition to Carolina Boat Center will improve the property. He asked Mr. Rivers Lawther, City Attorney, to address the grandfather clause issue.

Mr. Lawther stated that he is not aware of any action the City can take and added that he does not know of any Code that would require Carolina Boat Center to construct a retaining wall. He noted that generally landowners are responsible for their trees.

Mr. Alexander stated that a wall would have stopped the erosion from around his trees to prevent them from falling.

Mr. Kennedy stated that he does not think Mr. Alexander would be responsible for falling trees and the Boat Center will be protected by their property insurance if the property is damaged. He indicated that the grandfather clause sounds like an agreement made by the Moose Lodge who left nothing in writing when the property was sold.

Councilman Lewis advised Mr. Alexander to consult with his insurance agent to confirm that he will not be held liable and agreed that in most instances he would not be held responsible unless they can prove negligence and have sent him registered letters.

Mayor Kluttz stated that this is a question of something that transpired in the past. Mr. Lawther stated that when the Moose Lodge was built it was in the County. He noted that after it was annexed into the City, the Lodge did appear before City Council to have a portion of the property rezoned. He added that he remembers Mr. Alexander appearing at the Council meeting but is unaware of anything the City can currently do.

(c) Thereupon, Mr. Woodson made a **motion** to approve Group Development Site Plan G-15-06 for the construction of a 3,200 square foot addition to an existing commercial facility located at 650 West Ritchie Road. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

SECOND READING – ORDINANCE 2006-41 PROPOSED ZONING MAP AMENDMENT Z-08-06 JOHN LEATHERMAN, 2030 ROSEMONT STREET

Mayor Kluttz stated that Council received a presentation on the proposed rezoning for the John Leatherman property at its August 1, 2006 meeting but a second reading is required because of a lack of an affirmative vote of two-thirds of all members of the City Council. She indicated that Councilman Burgin will need to be excused from this agenda item.

Thereupon, Mr. Woodson made a **motion** to excuse Councilman Burgin. Mr. Lewis seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

Mayor Kluttz stated that Councilman Kennedy was not present at the August 1, 2006 meeting and asked him if he had any questions regarding this zoning request. Councilman Kennedy stated that he is aware of the facts and has no questions.

Councilman Lewis stated that the City hereby finds and determines that adoption of an Ordinance to rezone properties as described herein is not inconsistent with the goals, objectives and policies 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. Lewis made a **motion** to adopt an Ordinance amending the official zoning map of the City of Salisbury, North Carolina by

zoning approximately 0.112 acre portion of one parcel located at the terminus of Rosemont Street identified as tax map and parcel 061-2-009 from R-8 District to B-1 District with a Group Development A overlay. Mr. Woodson seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (4-0)

- AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY ZONING AN APPROXIMATELY 0.112-ACRE PORTION OF ONE PARCEL LOCATED AT THE TERMINUS OF ROSEMONT STREET, IDENTIFIED AS TAX MAP AND PARCEL(S) 061-2-009, FROM R-8 DISTRICT TO B-1 DISTRICT WITH A GROUP DEVELOPMENT-A (GDA) OVERLAY.

(The above Ordinance is recorded in full in Ordinance Book No. 21, Zoning & Planning, at Page Nos. 125-127, and is known as Ordinance No. 2006-41.)

- *It was necessary to have a second reading on the above ordinance due to the lack of an affirmative vote of two-thirds of all members of the City Council.*

- **EAST ELEMENTARY SCHOOL WATER AND SEWER EXTENSION PROJECT**

- Mr. Jeff Jones, Senior Engineer for Utilities, displayed a map of a revised construction agreement for the East Elementary School water and sewer project. He stated that the City has negotiated with DRJ Development, LLC to revise the existing project to extend to the new East Elementary School site in order to reduce the overall cost to the school. He said the revision will relocate an existing lift station to the DRJ development site and the school will use a gravity sewer line to the new lift station. He noted that Salisbury-Rowan Utilities will replace the old lift station and the school will no longer have to maintain a lift station on their property.

- Thereupon, Mr. Woodson made a **motion** to adopt a Resolution authorizing the Mayor and City Clerk to execute an agreement between the City of Salisbury, Salisbury-Rowan Utilities, DRJ Development, LLC, and Rowan-Salisbury Schools for the construction of a water main lift station, force main and gravity sewer, and upgrade two wastewater lift stations. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

- RESOLUTION AUTHORIZING AND DIRECTING THE EXECUTION AND IMPLEMENTATION OF THE AGREEMENT BETWEEN THE CITY OF SALISBURY (SALISBURY-ROWAN UTILITIES), DRJ DEVELOPMENT, LLC AND ROWAN-SALISBURY SCHOOLS FOR THE CONSTRUCTION OF A WATER MAIN, LIFT STATION, FORCE MAIN AND GRAVITY SEWER AND THE UPGRADE OF TWO WASTEWATER LIFT STATIONS TO SERVE EAST ELEMENTARY SCHOOL AND A NEARBY RESIDENTIAL DEVELOPMENT.

(The above resolution is recorded in full in Resolution Book No. 12, at Page No. 35, and is known as Resolution No. 2006-21.)

- **PRESENTATION FROM STAFF REGARDING GAME PLANS FOR CITY COUNCIL OUTCOME 10: STREAMLINING THE DEVELOPMENT REVIEW PROCESS AND ORDINANCES**

- This item was omitted from the agenda.

- **REPORT FROM COUNCILMAN BURGIN CONCERNING VISIT TO THE ROWAN COUNTY BOARD OF COMMISSIONERS IN REGARDS TO THE ALCOA AGREEMENT**

- Councilman Burgin stated that the Salisbury Post reported that the Rowan County Board of Commissioners would be voting on an Alcoa agreement at its August 7, 2006 meeting, and he and City Manager David Tremé took the opportunity to visit the meeting. He noted that they felt they made all reasonable attempts to be placed on the agenda to speak to the Commissioners and arrived twenty-five (25) minutes prior to the scheduled time for the agenda item. Upon their arrival, Mr. Arnold Chamberlain, Chairman of the Rowan County Board of Commissioners, informed them that the Commission had already voted in favor of the City's Resolution and to approve the agreement with Alcoa. Mr. Burgin stated that he asked to speak to the Board but was denied the opportunity. He added that he and Mr. Tremé remained at the meeting until the Public Comments section at which time he addressed the Commission. He explained to the Commission the importance of this issue to the community and that the City had hopes that a personal appeal from the City Council would help the County choose to align with the City rather than Alcoa. He noted that he expressed his gratitude to the Commission for supporting the City's Resolution.

Councilman Kennedy thanked Mr. Burgin and Mr. Tremé for representing the City in this important matter.

Councilman Lewis stated he would like to go on record that if a Rowan County Commissioner asks to address City Council, Council will extend that courtesy to them as an elected representative.

- **COMMENTS FROM THE CITY MANAGER**

- (a) **Planning Board Recommendations**

Council received the Planning Board recommendations and comments from the August 8, 2006 meeting.

(b) Alcoa Letter to the Federal Energy Regulatory Commission

Mr. Treme read a letter to Mr. Mark Robinson, Federal Energy Regulatory Commission (FERC), in reference to Alcoa's relicensing application and a request for FERC's assistance in obtaining water level data which has been denied by Alcoa. He stated that copies will be sent to United States Senators Elizabeth Dole and Richard Burr, United States Congressman Melvin Watt, Salisbury City Council, and Counsel for Alcoa. He explained that Alcoa had agreed to provide the water level data but the City later received an email from them denying the request. He indicated that this is a continued attempt from Alcoa to thwart the City's attempt to prove that the Alcoa dam project, with the sedimentation and flooding, has a negative impact on the City's water supply system. He explained that based on the actions of Alcoa, he is requesting FERC to intervene and assist the City in gathering the data. He added that perhaps with the assistance of FERC, our two (2) State senators, and our congressman, Alcoa will be required to furnish the information the City needs to complete studies Alcoa had indicated they would complete. He stated that once the information is gathered and the studies are completed the results will be shared with the public.

Mayor Kluttz stated that the community is concerned with the water rates and if Alcoa is granted the relicensing, there will be no telling what will happen to the rates in the future. She added that the City is looking out for the community's future water supply and thanked staff for their attention to this matter.

Mr. Treme stated that it is difficult for a small city to oppose a large international company that is not bound by state laws and he hopes that FERC will honor the City's request to require Alcoa to supply the requested data.

Mayor Pro Tem Woodson thanked Mr. Treme and staff for their work in representing the City in this matter.

Councilman Kennedy stated it is noteworthy that there are other cities and counties who are in opposition to Alcoa and understand the ramification of the project on the water supply.

PUBLIC COMMENT

Mayor Kluttz opened the floor for public comment.

Ms. Kristen Dillard, Team Chevrolet, and Ms. Cindi Mynatt, Ben Mynatt Nissan, addressed Council and requested relief from the City's sign ordinance. Ms. Dillard stated that balloons and banners sells vehicles, which creates property tax revenue for the City and road tax revenue for the State, and requested that they be allowed to display professionally printed banners. She noted that several years ago there was a campaign to "Shop Rowan First" to encourage consumers to shop in Rowan County. She explained that Salisbury sales are lost to competitors in other cities who advertise heavily in Salisbury and are allowed to display more exciting balloons and banners on their lots. She pointed out that she understands that Council cares deeply about the economic development of Salisbury and Rowan County and respectfully requests relief from the sign ordinance for the portion of Jake Alexander Boulevard where the auto dealerships are located.

Ms. Mynatt stated that the nature of their product is that it be displayed outside and balloons and banners, which are often supplied by the auto manufacturers, are part of merchandising that is tied in to nationwide programs. She noted that she is sure the current regulations exist in the interest of safety and aesthetics and is it is not their attempt to compromise either of these.

Mr. Nathan Peele, Cloninger Ford-Toyota, stated that the automobile dealers are all located in the same area of Jake Alexander Boulevard and have the same goal of drawing customers to the area. He explained that they rely on advertising to draw customers and noted that these dealerships are in the center of two (2) major mall areas and have to look for things to attract customers from outside the area, as well as keeping customers in the area. He concluded by requesting Council's support for the relief request.

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

Councilman Woodson stated that he has spoken with the car dealers about their concerns and he would be happy to serve on a committee to review this issue.

Councilman Burgin stated that he is a strong advocate for the City's Sign Ordinance and feels it is fairly modest. He noted that Council has addressed this issue several times and feels that letting the car dealerships do what they want may not serve the community. He feels that Council reviewed this issue in a fair manner and he is happy with the current Ordinance. He stated that he has purchased cars from the Salisbury dealerships based on the sales price and quality of service and added that the Council supports the dealerships by purchasing police cars from them. He pointed out that he does not associate signage with the success of these businesses and feels the Ordinance was created by the citizens and the Planning Board to be reflective of the kind of community Salisbury wants to be.

Mayor Kluttz stated that the drive into town along East Innes Street looks nice and reflects the many years of hard work to clean it up. She noted that she feels the Sign Ordinance has worked and would not like to regress by re-opening this matter.

Councilman Lewis stated that the dealerships have been breaking the Code and feels the Code should be enforced or should be changed to allow what they are already doing. He stated that he would have more sympathy if they were currently abiding by the Sign Ordinance. He stated that he would first like to see the Land Development Ordinance passed to see what Council has to deal with and then re-address the issue. He pointed out that all County retailers want to sell more and what actions are taken for the car dealerships will have to be taken for everyone.

Mayor Kluttz stated that she feels it is a good suggestion to re-address this issue after the completion of the Land Development Ordinance.

Councilman Kennedy stated that he would agree to re-address their specific requests after the completion of the Land Development Ordinance.

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MAYOR'S ANNOUNCEMENTS

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(a) Council Meeting Change

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Mayor Kluttz stated that she and Councilman Lewis will not be able to attend the September 19, 2006 Council meeting. She stated that she is pleased to announce that Mr. Lewis has been chosen as the representative from Salisbury and Rowan County to participate in the American Leadership Forum Charlotte Region on September 19, 2006. She added that this is a year-long collaborative leadership program that encourages regional leaders to discuss problems and challenges. Mayor Kluttz indicated that she will also be away. She explained that six (6) years ago the Center for International Understanding at the University of North Carolina Chapel Hill began identifying counties in North Carolina with the fastest growing Hispanic populations. She pointed out that each year they use grant funds to send a delegation from these counties to Mexico to learn about the Hispanic population in order to have a better understanding and enact better policy decisions. She explained that this year Union, Rowan and Cabarrus Counties have been identified as the counties with the fastest growing Hispanic populations and a delegation of approximately eight (8) or nine (9) people will be traveling from Rowan County to Mexico. The delegation includes elected officials, representatives from the public school system, community college, law enforcement, medical community and business community and she noted that she will be traveling with this group.

Mayor Kluttz stated that other possible dates for the Council meeting had been explored but due to complications, she asked that the Council meeting not be rescheduled and be held at the regular date of September 19, 2006.

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(b) Lord Salisbury Celebrates Summer

Mayor Kluttz announced that the Lord Salisbury Celebrates Summer Fun will be held August 18-19, 2006. A 50's Night Out will be held from 5:00 p.m. – 10:00 p.m. Friday, August 18 featuring the International Thunderbird Association, and Movies Off The Wall will begin at 8:00 p.m. Saturday, August 19 featuring the movie "Grease."

(c) Sports Complex Renovation Project

Mayor Kluttz noted that Salisbury received notification from Governor Michael F. Easley that the Parks and Recreation Authority has approved a grant in the amount of \$250,000 from the Parks and Recreation Trust Fund for the Sports Complex Renovation Project in Salisbury, North Carolina.

(d) Proposed Annexation Site Tour

Councilman Kennedy requested that Council be given a list of properties that are currently zoned M-2 Heavy Industrial within in the City's jurisdiction. He indicated that this will be helpful to Council when they take the tour of the proposed annexation site.

Mayor Kluttz asked for suggestions for scheduling the tour. Mr. Treme stated that in the next couple of days he can gather the requested information and make the tour arrangements. By consensus, Council agreed to schedule the tour for Wednesday, August 23, 2006 at 9:00 a.m.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Woodson, seconded by Mr. Burgin. All council members agreed unanimously to adjourn. The meeting was adjourned at 7:06 p.m.

Mayor

City Clerk