

Salisbury, North Carolina  
October 6, 2015

## **REGULAR MEETING**

**PRESENT:** Mayor Paul B. Woodson, Jr., Presiding; Mayor Pro Tem Maggie A. Blackwell; Council Members Karen Kirks Alexander, William Brian Miller, and William (Pete) Kennedy; City Manager W. Lane Bailey; City Clerk Myra B. Heard, and City Attorney F. Rivers Lawther, Jr.

**ABSENT:** None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The invocation was given by Councilmember Kennedy. The meeting was called to order by Mayor Woodson at 4:00 p.m.

## **PLEDGE OF ALLEGIANCE**

Members of the Rowan County Veterans Honor Guard led those present in the Pledge of Allegiance to the United States flag.

## **RECOGNITION – ROWAN COUNTY VETERANS HONOR GUARD**

Mayor Woodson recognized members of the Rowan County Veterans Honor Guard for winning the national competition for advancing and retrieving the colors at the National American Legion Convention in Baltimore, Maryland. He read a Proclamation proclaiming October 6, 2015 as Rowan County Veterans Honor Guard Day. He then presented a framed copy of the Proclamation to the Rowan County Veterans Honor Guard.

Members of the Rowan County Veterans Honor Guard winning unit were Bill Lane, Rebecca Forbes, Kiesha Westmoreland, Chuck Quinn and Charles Cauble.

Mayor Woodson congratulated the Rowan County Veterans Honor Guard, and he thanked them for the important services they provide for veterans and the community.

### **RECOGNITION OF VISITORS**

Mayor Woodson welcomed all visitors present. He recognized Rowan County Commissioner Craig Pierce who was in the audience.

### **PROCLAMATION**

Mayor to proclaim the following observances:

FIRE PREVENTION WEEK	October 4-10, 2015
MENTAL ILLNESS AWARENESS WEEK	October 4-10, 2015
MAKE A DIFFERENCE DAY	October 24, 2015

### **CONSENT AGENDA**

(a) Approval of Minutes

Approve Minutes of the Special Meeting of September 10, 2015 and the Regular Meeting of September 15, 2015.

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

### **MITCHELL AVENUE RIGHT-OF-WAY ENCROACHMENT**

Traffic Engineering Coordinator Vickie Eddleman explained the Fulton Heights neighborhood is requesting permission to place a statue in the planted median along Mitchell Avenue. She explained Sections 22-18 and 22-19 of the City Code allows an encroachment if certain conditions are met:

- It shall not hinder, obstruct or delay, or in any way endanger the free and safe use of the public right-of-way
- The obstruction shall not obstruct the view of motorists using any street, private driveway, or approach to any street intersection
- The encroachment shall not be placed closer than two feet from the curb and it shall not obstruct a public sidewalk

Ms. Eddleman noted the proposed location will not affect the roadway or obstruct motorists' view of oncoming traffic. She added the statue would be installed within an existing median that does not have a sidewalk and is located away from the intersection and would provide two-feet of clearance on either side of the statue.

Ms. Eddleman pointed out the placement of the statue would require removal of one tree from the median. She stated neighborhood representatives contacted Parks and Recreation Maintenance Manager Stephen Brown and the Tree Board, who did not oppose the request.

Ms. Eddleman indicated the encroachment must be constructed of non-combustible materials. She explained the base will consist of concrete and metal, and the statue will be constructed of glass and tile.

Ms. Eddleman commented the proposed statue will include "Fulton Heights a place for pleasure and comfort" as the message welcoming visitors into the community.

Ms. Eddleman stated the owner must assume responsibility for injury, death, or damage sustained as a result of the encroachment, and she added the encroachment shall be maintained and kept in a safe condition. She pointed out the encroachment can be revoked by Council. She commented the Neighborhood Association provided staff with a letter outlining the encroachment requirements and acknowledging their responsibility for maintenance and liability.

Mayor Woodson asked if the tree in the median could be saved. Councilmember Kennedy noted the tree could be relocated.

Councilmember Miller commented Council encourages public art in the City, and he noted the proposed location is a great place for art.

Ms. Blackwell pointed out the neighborhood is paying for the art.

Thereupon, Ms. Blackwell made a **motion** to issue a right-of-way encroachment permit for Mitchell Avenue in accordance with Section 22-18 and 22-19 of the City Code subject to conditions being met. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE. (5-0)

Mayor Woodson thanked members of the Fulton Heights community and noted the artwork will be a great entrance into the neighborhood.

### **TEMPORARY USE OF PUBLIC RIGHT-OF-WAY 100 BLOCK EAST FISHER STREET**

Traffic Engineering Coordinator Vickie Eddleman explained staff is working with Central Piedmont Builders to address the concerns of local businesses regarding construction in the 100 block of East Fisher Street. She noted staff also approached local business owners independently and most are willing to work around the construction for a reasonable length of time. She added one business owner is concerned debris could fall on motorists and pedestrians.

Ms. Eddleman stated the Street Department blocked off the sidewalk at the construction site until the contractor could install fencing. She commented staff asked the contractor to ensure the work zone is properly secured to address falling debris concerns.

Ms. Eddleman pointed out one business is willing to relocate its vehicles outside the private parking lot to aid the construction process. She indicated another business stated the construction is causing them to lose customers.

Ms. Eddleman noted staff met with Central Piedmont Builders and area business owners jointly to address concerns. She commented during the meeting representatives from Central Piedmont Builders mentioned they would need to close the 100 block of East Fisher Street to receive a steel beam delivery. She added the delivery will take two to eight hours, and should begin at 8:00 a.m. Ms. Eddleman explained until the shipment arrives it will be difficult to determine how much of the roadway is needed. She indicated the City will provide signage indicating area businesses are open.

Ms. Eddleman indicated Central Piedmont Builders collected delivery dates for the businesses and will provide them with a 24-hour notice.

Ms. Eddleman indicated the delivery could occur anytime between October 12, 2015 and October 23, 2015. She added Central Piedmont Builders is requesting a single day within this time frame for the closure of the 100 block of East Fisher Street for a period of time not to exceed eight hours.

Mr. Chad Vriesema, Central Piedmont Builders, 128 Confederate Avenue, and Mr. Todd Littleton, 525 Pebble Point, addressed Council regarding construction in the 100 block of East Fisher Street. Mr. Vriesema noted the steel beams are needed to support the building. He added some of the beams are 40-feet long, and will require blocking the street and using a portion of the Thread Shed's parking lot to place the beams in the building. He added the process should not take more than four hours, but he requested the day in case complications arise. He noted the streets will be opened once the steel beams are in place.

Mr. Littleton indicated he has tried to make everyone aware of the delivery. Mr. Vriesema stated Central Piedmont Builders will do all it can to have a minimum impact on the surrounding businesses.

Mayor Pro Tem Blackwell noted the delivery is necessary for construction.

Mr. Vriesema pointed out another street closure may be needed when the front of the building is bricked.

Mayor Woodson asked about the timeline for the project. Mr. Vriesema stated he plans to complete the project in approximately six months.

Mayor Woodson thanked Mr. Vriesema and Mr. Littleton for all they are doing to improve the City and the 100 block of Fisher Street.

Mr. Littleton thanked Council for the grants which helped make the redevelopment possible.

Thereupon, Mr. Kennedy made a **motion** to approve a permit for Central Piedmont Builders for the closure of the 100 block of East Fisher Street for a maximum of eight hours for a single day between October 12, 2015 and October 23, 2015. Ms. Alexander seconded the motion. Miller, and Woodson, and Mses. Alexander and Blackwell voted AYE. (5-0)

**INVOICE UNDERGROUND UTILITIES**

City Engineer Wendy Brindle explained location requests for underground utilities are typically brought to Council before installation, but staff determined Broadplex, LLC has placed 18,000 linear feet of underground fiber along South Main and West Bank Streets. She added an additional 2,800 linear feet of underground fiber was located along Horah and South Long Streets. She pointed out the majority of the South Main Street installation was in the North Carolina Department of Transportation’s (NCDOT) right-of-way, and the company obtained encroachments from NCDOT.

Ms. Brindle noted the City charges \$1 per linear foot for the installation of underground utilities per City Code, and \$20,800 will be billed annually to Broadplex, LLC.

Ms. Alexander asked about the City’s liability for the project. Ms. Brindle noted any claims would be handled between the company and the individual property owner.

Thereupon, Mr. Miller made a **motion** to invoice Broadplex, LLC at the adopted fee of \$1 per linear foot for underground utilities placed within the public right-of-way. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Mses. Alexander and Blackwell voted AYE. (5-0)

**CONTRACT – FLOWAY-3 STAGE BOWL ASSEMBLY**

Purchasing Manager Anna Bumgarner and Salisbury-Rowan Utilities (SRU) Director Jim Behmer addressed Council regarding the purchase of a Floway-3 stage bowl assembly for SRU. Mr. Behmer explained SRU needs to rebuild a 12-million gallon pump at the River Pump Station into a more efficient 18-million gallon pump.

Ms. Bumgarner explained General Statues authorize local government purchases from a sole-source when standardization or compatibility is the over-riding consideration.

Mayor Pro Tem Blackwell noted the proposed project is included in the budget. Councilmember Alexander added the proposed project is under budget.

Councilmember Miller clarified SRU is getting a more efficient system, and the cost is under budget.

Thereupon, Mr. Miller made a **motion** to adopt a Resolution awarding a contract in the amount not to exceed \$165,789.20 to Charles R. Underwood, Inc. to purchase a Floway-3 stage bowl assembly for Salisbury Rowan Utilities. Mr. Kennedy seconded the motion.

Mayor Woodson asked if Charles R. Underwood, Inc. has competition. Ms. Bumgarner explained in 2011 the pump was sent out for bids. She noted staff is using the same vendor that won the 2011 bid to create standardization of equipment.

Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE.  
(5-0)

**RESOLUTION AUTHORIZING THE PURCHASE OF A FLOWAY – 3 STAGE BOWL ASSEMBLY FOR SALISBURY ROWAN UTILITIES.**

(The above Resolution is recorded in full in Resolution Book No. 15 at Page No. 22, and is known as Resolution 2015-19)

**CITY MANAGER’S COMMENTS**

- (a) Introduction of new Communications Director Linda McElroy

City Manager Lane Bailey introduced new Communications Director Linda McElroy to Council. Ms. McElroy thanked Council for the warm welcome, and she stated she is delighted to be in the City doing what she loves.

Mayor Woodson welcomed Ms. McElroy to the City.

**MAYOR’S ANNOUNCEMENTS**

- (a) 2015 OctoberTour

Mayor Woodson announced the Historic Salisbury Foundation will host OctoberTour Saturday, October 10, 2015 and Sunday, October 11 2015. For tickets or information visit [www.octobertour.com](http://www.octobertour.com) or call 704-636-0103.

- (b) 2015-2016 Historic Preservation Incentive Grants

Mayor Woodson announced the deadline to submit applications for the 2015-2016 Historic Preservation Incentive Grants has been extended through October 16, 2015. The matching grants are available on a competitive basis for exterior projects on owner-occupied homes in the four residential local historic districts: North Main Street, Brooklyn South Square, West Square, and Ellis Street Graded School. Applications are available by calling (704) 638-5324. All applications must be received by October 16, 2015.

(c) 2015 Block Work

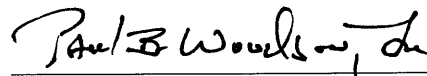
Mayor Woodson announced BlockWork, the annual neighborhood improvement project sponsored by the Community Appearance Commission and Housing Advocacy Commission, is scheduled for October 24, 2015 from 8:30 a.m. until 5:00 p.m., in the 800 to 900 blocks of South Jackson Street in the Chestnut Hill Neighborhood. Parking will be available behind Haven Lutheran Church on Harrison Street. The 800 and 900 blocks of South Jackson Street will be closed to through traffic during the event. Citizens who would like to volunteer may contact the planning office at 704-638-5242 for more information.

(d) Historic Salisbury Foundation Executive Director Brian Davis

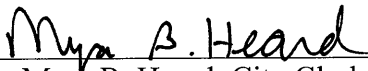
Councilmember Miller thanked Historic Salisbury Foundation Executive Director Brian Davis for all he done for the Historic Salisbury Foundation and the City. He wished him the best as he takes a position in another City.

**ADJOURNMENT**

Motion to adjourn the meeting was made by Ms. Blackwell seconded by Ms. Alexander. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 4:41 p.m.



Paul B. Woodson, Jr., Mayor



Myra B. Heard, City Clerk