

Salisbury, North Carolina
November 21, 2017

REGULAR MEETING

PRESENT: Mayor Karen K. Alexander; Presiding; Council Members Mayor Pro Tem Maggie A. Blackwell, Kenneth Hardin, William Brian Miller, and David Post; City Manager W. Lane Bailey; City Clerk Diane Gilmore, 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 Miller. The meeting was called to order by Mayor Pro Tem Blackwell; at 5:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Alexander led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Alexander welcomed all visitors present.

CONSENT AGENDA

(a) Approval of Minutes

Adopt Minutes of the Regular meetings of October 17 and November 7, 2017.

(b) Maintenance of Signs

Authorize the City Engineer to extend agreements with the North Carolina Department of Transportation (NCDOT) concerning maintenance of signs (Schedule A), of markings and markers (Schedule B), of traffic signals (Schedule C), and of the computerized traffic signal system (Schedule D).

(c) Addendum E to the Memorandum of Elizabeth Holmes Hurley Park

Consider approving Addendum E to the Memorandum of Understanding with the Elizabeth Holmes Hurley Memorial Park Fund.

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

UPDATE – SALISBURY POLICE CHIEF

Police Chief Jerry Stokes shared information regarding a recent bank robbery that led to a carjacking and an officer involved shooting. He noted police officers displayed bravery and saved lives during this situation. He indicated the two victims who were shot are in stable condition and on their way to recovery. He implied all the events were gun crime related, which is an issue that needs to be resolved for the community.

Chief Stokes explained during the years of 2014-2016 nearly 200 gun crimes were reported annually in the City, which is approximately 70 more than the previous average for the years of 2012-2013. He stated the Community Action Planning Session is in its implementation phase and the Public Safety Group is focusing on ideas as a community to resolve the issues faced by the City.

Chief Stokes shared information regarding the Department of Justice's visit to the City on November 8 and 9, 2017. He stated during the two day visit, the Department of Justice spoke with 15 community members regarding community concerns. He explained they spoke to officers in different areas of the Police Department including Criminal Investigation Division, Narcotic Investigation Division, Training and Recruitment, Reporting Data Manager and the District Attorney. He noted all involved agree that they are working to formulate a plan to make improvements and implement department success. He stated this is the first stage of the plan. He shared with Council information regarding the weekly call from the Department of Justice. He noted the Department of Justice received honest input and would like to talk with more citizens in the future. He indicated the Department of Justice will return in January to continue its interview plan and present a timeline of the plan of action implementation that will take place in March.

Chief Stokes reviewed staffing for the department, and he indicated there seemed to be a slowdown in candidates. He noted an offer has been made to a candidate for the Project Safe Neighborhood position. He indicated she will start December 4, 2017 and will have an opportunity to meet Council in December.

Mayor Alexander asked if the Department of Justice would review the increase in violence based on the statistics from 2013 to current year. She also asked if the economy played a part in the increase of crime. Chief Stokes stated statistics do not show any correlation between crime and the economy. He explained the Department of Justice will review 10 years of data that will provide insight regarding a plan to address the City's crime issues. Mayor Alexander asked if the Department of Justice measures Salisbury against other communities that are similar in size. Chief Stokes stated the Department of Justice has not indicated the information is based on the size of a community. He added it will provide information regarding communities that have similar issues as the City.

Councilmember Miller asked if there will be an opportunity to make budget adjustments when the report becomes available in March. City Manager Lane Bailey stated there will be an opportunity. Chief Stokes indicated training may be offered during the first phase of the plan. He noted if the Department of Justice were to bring in a subject matter expert, it would most likely cover the costs of the services offered. He also stated the Department of Justice will direct the Police Department regarding future grants.

UPDATE – EMPIRE HOTEL REDEVELOPMENT PROJECT

Planning Director Janet Gapen introduced Mr. Britt Weaver, principal of Black Point Investments and developer for the Empire Hotel Project.

Downtown Salisbury, Inc. (DSI) Director Larissa Harper provided a brief update regarding the Empire Hotel open house and tour. Ms. Gapen explained the open house took place on October 17, 2017 at 5:00 p.m. and 150 people toured the Empire Hotel. She commented the group will review parking options, and she stated there will be opportunities for the public's input through forums, open houses and surveys.

Mr. Weaver stated he was pleased with the Empire Hotel open house and the support from the community. He stated he participated in a Housing and Urban Development (HUD) meeting, and he explained that historic projects require HUD support with qualifications. He stated he received a letter of encouragement from HUD, and the project is on track financially. Mr. Weaver commended the City and County for its support of the project.

Mayor Alexander inquired about tax credits. Mr. Weaver stated the firm is in the application process for Local Historic Landmark designation and Federal tax credits. Councilmember Post asked if the Federal Historic Tax reform affected the process or outcome for current applications. Mr. Weaver stated the company has other options if the Federal Historic Tax reform becomes an issue. He stated redevelopment should begin mid-year 2018.

Councilmember Miller stated he is excited about the project and looking forward to the redevelopment. He clarified there will be additional opportunities for public input before construction begins.

Mayor Alexander thanked Mr. Weaver for the update.

DEMOLITION OF STRUCTURE AT 201 EAST INNES STREET

Planner Kyle Harris addressed Council regarding the issuance of a demolition permit for the structure located at 201 East Innes Street which was built between 1931 and 1935. He stated the Historic Preservation Commission (HPC) approved a demolition permit on a conditional delay period of 365 days. He explained during the delay staff explored preservation options that included stakeholders such as the representatives of the Historic Salisbury Foundation (HSF), developers, and property owner. He stated HSF has worked with the property owners and architect, and an agreement was reached to dismantle or demolish the current structure and reconstruct it at a nearby location. He stated the initial goal was to redevelop the property as mixed-use office and residential space while maintaining the service station's unique character. He stated the 365 day delay period has expired, and the property owners are requesting the demolition permit be issued with Council's understanding that the structure will be relocated and reassembled.

Mr. Harris noted the building is vacant, does not pose a threat to the public, and is not in a state of disrepair. He displayed photographs of the building and noted its interior has no historic or architectural significances. Mr. Harris pointed out the exterior façade contributes historically with the use of locally sourced pink granite.

Mr. Pete Bogle, Bogle Firm Architecture, PLLC, commented on the original proposal to demolish the building. He stated the project has become a community based project. He noted the proposal for a new 11,600 square foot building with ground floor offices could enhance the entrance to downtown and create a pedestrian oriented property. He added the entry space in front of the building does not serve its purpose and the only historic significance remaining is the granite blocks and their shapes. He indicated the development will be a catalyst for future development. He stated the plans include a courtyard and additional parking. He noted Healthcare Management will provide offices and four two-bedroom apartments. He stated Healthcare Management has since partnered with another group and formed a Limited Liability Corporation (LLC) that plans to renovate the adjacent building to include parking, retail, and office space. Mr. Bogle stated the LLC group has the option to purchase the parking lot beside the railroad tracks with the intent to provide additional parking and a site to rebuild the granite structure. Mr. Bogle stated the company will partner with Fire House Lofts to assist in the development of a mid-block walkway. He stated the plans include 11,600 square feet of new construction with 9,500 square feet of historic adaptive commercial use, redevelopment of the parking lot and rebuilding the granite façade.

Councilmember Hardin asked how long the building had been vacant. Mr. Bogle stated he was unsure when the latest tenants were in the building. Mr. Bogle also noted no structural improvements have been made to the property. Mr. Hardin inquired about the structure's integrity and infestation. Mr. Harris clarified when the Development Service Manager made notations in his report regarding infestation it only meant verification could not be made. Mr. Bogle commented the interior of the building showed no evidence of terminate or insect infestations. He indicated there are some structural issues with the concrete block walls and roof system, but it does not pose an imminent danger to the public.

Councilmember Post asked if environmental testing has been conducted on the property. Mr. Bogle noted the structure has been through an Environmental Protecting Agency (EPA) phase 1 assessment and neighboring structures are in phase 2 of the program.

(b) Mayor Karen Alexander convened a public hearing, after due notice thereof, to receive comments regarding the demolition of the structure located at 201 East Innes Street.

Mr. Scott Robinson stated the demolition plan is exciting for the community. He added the plans are consistent to the surrounding area and the project should encourage others to think outside of the box regarding development.

Ms. Karen Hobson recognized the importance of historic preservation in the City. She stated the HSF has worked to save the pink granite service station and she noted the foundation believes the 1930s structure is unique and architecturally significant. She stated the developer agreed to rebuild the historic portion of the pink granite service station three blocks away from its current location, where it will be used commercially. She commended the developers for being open-minded regarding their redevelopment plans.

Mr. Todd Littleton stated he supports the new development.

Mr. Edward Clement recognized the importance of the structure. He indicated the public has not been involved in the demolition processes, and he referenced the Kesler Mill area. He stated Downtown Salisbury is the most historic area in the piedmont. He recognized Council for working together and for its landmark law contribution.

Mr. Todd Steinman stated his family owns the building across the street from the pink granite service station and he supports the economic development plan.

Mr. Tim Norris stated he represents Healthcare Management Consultant Firm which has outgrown its current location on Statesville Boulevard. He added the firm supports the development and looks forward to moving to the downtown area.

There being no one else to address Council, Mayor Alexander closed the public hearing.

Councilmember Miller commended the Planning Board, staff, and the community for working together on the redevelopment project.

Mayor Pro Tem Blackwell stated she supports the investment which would improve a gateway to the downtown area. She commented all parties are in favor of the redevelopment.

Mayor Alexander commended all those involved in the redevelopment plans and noted she supports the plan.

Thereupon, Mr. Miller made a **motion** to approve a demolition permit for the structure located at 201 East Innes Street. Mr. Post seconded the motion. Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

LAND DEVELOPMENT ORDINANCE AND DISTRICT MAP ADMENDENT CD-04-2017 – FIRE STATION 6

Planning Services Director Janet Gapen addressed Council regarding Land Development Ordinance (LDO) and Land Development District Map Amendment CD-04-2017. She explained the request is to rezone approximately six acres located at 310 Cedar Springs Road by establishing a Conditional District (CD) Overlay to permit the development of a new Fire Station 6.

Ms. Gapen stated the City is the petitioner and the property owner. She reviewed a map of the area, and she pointed out the parcel is zoned Light Industrial (LI). She noted the area zonings which include LI, Heavy Industrial (HI), Corridor Mixed-Use, (CMX) and Urban Residential (UR-12). She explained a public safety station is permitted in LI zoning, but a CD Overlay is needed to modify the driveway requirement.

Ms. Gapen displayed the site plan and an artist's rendering of the project. She pointed out two means of ingress to the property, and she noted the fire trucks pull in from the rear of the parking bays. She explained the wider driveway that fronts Cedar Springs Road would be used to respond to calls.

Ms. Gapen stated the request went before Planning Board on October 24, 2017, and it recommended unanimous approval. She explained the driveway width is the only exception for the CD Overlay. She noted the fire trucks have a wider turning radius that requires the driveway apron to exceed the standard driveway width allowed in the LDO.

Mayor Alexander asked Project Architect Bill Burgin to address Council.

Mr. Burgin indicated Cedar Springs Road serves as a gateway around the City. He explained the North Carolina Department of Transportation (NCDOT) is considering upgrading Cedar Springs Road to four lanes. He added the proposed fire station is positioned to account for the possibility of a four-lane road, and NCDOT has determined the location would not affect future road construction projects.

Mr. Burgin pointed out the proposed fire station will have metal siding, include five bays for fire trucks, and an additional bay for training. He noted the site includes a training tower, a fuel station alternate, and a pump tank testing facility to allow for in-house testing. He commented

Fire Station 6 will be constructed before Fire Station 3 because it will eliminate the largest coverage gap in the City's fire system.

Mr. Burgin referenced adjacent property that is zoned UR-12, and he pointed out a 100-foot buffering and extra property between the two sites. He stated the City has done all it can to provide buffering between the proposed fire station and the UR-12 zoning. He noted the area is industrial, and the zoning will not change. He explained the CD Overlay allows the front driveway to be widened to match the bay width.

Mayor Alexander noted Council received letters from neighbors who are excited about the proposed fire station. Mr. Burgin stated a community meeting was held in November at Fire Station 2, and citizens were ready to close the biggest fire coverage gap in the City.

Fire Chief Bob Parnell reviewed a map of the City, and he pointed out the area to be covered by Fire Station 6 which includes 700 homes and 75 industrial properties. Mayor Alexander stated the fire stations will be evenly spaced throughout the City. Chief Parnell agreed. Mr. Burgin noted the hazmat team will be located at Fire Station 6 near the highway and industrial sites.

Councilmember Miller commented the need exists, the location addresses the coverage gap, and the proposed Fire Station is included in the Capital Improvement Plan (CIP).

Mr. Bailey stated he requested a fuel station be added to the project to serve as a back-up if fuel in the area is lost during an emergency situation. He commented Fire Station 6 is included in the CIP for the current year and the goal is to break ground before June 30, 2018. Mayor Alexander noted the proposed fire station is funded. Mr. Bailey agreed.

Councilmember Post noted approximately 30 people attended the community meeting, and he thanked Mr. Burgin and Chief Parnell for the detailed information they provided to the community.

(b) Mayor Alexander convened a public hearing, after due notice thereof, to receive comments regarding the proposed Fire Station 6.

There being no one to address Council, Mayor Alexander closed the public hearing.

Mr. Post stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property as described herein by establishing a Conditional District Overlay is reasonable, in the public interest and consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan as it relates to promoting safe neighborhoods, supporting a compact urban design, provides for more efficient services, and the architecture and design of the site are a pleasant addition to the neighborhood and City. Thereupon, Mr. Miller made a **motion** to adopt an Ordinance amending the Land Development Ordinance and Land Development District Map of the City of Salisbury, North Carolina rezoning one parcel at 310 Cedar Springs Roads by establishing a Conditional District Overlay to permit the development of a new Fire Station No. 6.

Mr. Post asked if Fire Station 6 would increase the Fire Department's Insurance Services Office (ISO) rating. Chief Parnell noted the coverage Fire Station 6 will bring to the area. Mayor Alexander stated an improved ISO rating benefits everyone who lives in the City.

Mr. Hardin seconded the motion. Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE AND THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING ONE PARCEL AT 310 CEDAR SPRINGS ROAD BY ESTABLISHING A CONDITIONAL DISTRICT OVERLAY TO PERMIT THE DEVELOPMENT OF A NEW FIRE STATION NO. 6. (PETITION NO. CD-02-2017)

(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page No. 189-190, and is known as Ordinance 2017-65.)

PRESENTATION – NEW TEEN CENTER PROGRAM

Parks and Recreation Director Nick Aceves updated Council on the Teen Center Program at Miller Center.

Mr. Aceves thanked the Blanche and Julian Robertson Family Foundation for their generous donation to the Teen Center Program. He shared this program would consist of many activities and trade skills for youth ages 10 through 17. He noted \$50,000 was appropriated in the FY 2017-18 budget for the project. He explained funds would be used to purchase an Identification card maker and youth members would be allowed to enter any of the recreation facilities. He noted youth members would be permitted to use City Transit services to travel to the recreation centers. He indicated funds would be used to add two staff members and purchase programmatic materials. He acknowledged key partnerships with City Transit and the Police Department. He informed Council outside groups would also partner with the City to enhance the program.

Councilmember Hardin pointed out the importance of reaching out to community groups and noted he was very appreciative of including them in this program. Mr. Aceves stated staff will also get feedback from the youth on their thoughts for making the program successful.

BOARDS AND COMMISSIONS

Community Appearance Commission

Upon a motion by Ms. Blackwell, seconded by Mr. Miller, and with Messrs. Post and Hardin and Mses. Alexander voting AYE, the following appointment was made to the Community Appearance Commission to fill an unexpired term:

Ms. Kimberly Hardiman

Term Expires 3/31/2019

Salisbury-Rowan Economic Development Commission

Upon a motion by Mr. Post, seconded by Ms. Alexander, and with Messrs. Hardin and Miller and Mses. Blackwell voting AYE, the following reappointment was made to the Salisbury-Rowan Economic Development Commission:

Mr. Matt Barr

Term Expires 3/31/2020

CITY MANAGER'S COMMENTS

(a) Update – New Garbage Routes

City Manager Lane Bailey asked Assistant Public Services Director Craig Powers to address Council regarding new garbage routes. Mr. Bailey explained growth and annexation created inefficiencies in the garbage routes, and the modified routes will be implemented on January 1, 2018.

Mr. Powers reviewed a map of the current garbage routes, and he noted the routes are separated which creates inefficiencies. He pointed out some of the longer routes create overtime for employees and do not allow time for maintenance. He then reviewed the proposed routes that allow employees time to complete their work and maintain the vehicles and equipment.

Mr. Powers noted staff is implementing an extensive communication plan that includes news releases, door hangers, and social media postings to make citizens aware of the changes. He stated during the implementation phase employees will be available in case citizens put their garbage out on the wrong date.

Mayor Alexander asked if garbage and recycling will be collected on the same day. Mr. Powers agreed, and he noted yard waste will be collected on the same day as garbage and recycling.

(b) New Finance Director

City Manager Lane Bailey announced Budget Manager Shannon Moore has been selected to replace retiring Finance Director Teresa Harris effective January 1, 2018. He stated Ms. Moore has been with the City for over eight years and she has an undergraduate degree in corporate finance and an MBA from Western Carolina. He indicated he relies heavily on Ms. Moore's budget expertise.

Mr. Bailey stated a revised version of the Capital Improvement Plan (CIP) will be implemented and will include a spending plan. He added Ms. Moore embraced the CIP, and he is excited to have her serve as the City's Finance Director.

MAYOR 'S ANNOUNCEMENTS

(a) Trip to India

Mayor Alexander announced she spent the last 10 days in India with a delegation from Livingstone College. She noted the College established two Memorandums of Understanding to bring students and professors to Livingstone College and to send Livingstone students to India to Invertis University in Borelli and Lovely Professional University. She congratulated Livingstone College for taking a leadership role in the initiative.

(b) Friday Shopping Night

Mayor Alexander announced Downtown Salisbury Inc. will host the biggest shopping night of the year, Friday, November 24, 2017, from 5:00 p.m. until 9:00 p.m. Fisher Street will convert into a snowy village where children of all ages can visit with Santa and the Grinch, make their own ornaments at "Santas Workshop" crafting station, enjoy hot cocoa, live music, caroling, hay rides, snowball fights and more!

(c) Small Business Saturday

Mayor Alexander announced support your neighbors by shopping and dining in downtown to celebrate Small Business Saturday on Saturday, November 25, 2017. In addition, to the festive atmosphere join us at the Bell Tower from 10:00 a.m. until 2:00 p.m. for ornament making at "Santa's workshop" craft station, hot cocoa, and a chance to have your photo taken with Santa and the Grinch! Enjoy free horse and carriage rides through downtown from noon until 4:00 p.m.

(d) Friday Late Shopping

Mayor Alexander announced downtown shops in Downtown Salisbury will be open late for holiday shopping Friday, December 1, 2017 until 9:00 p.m. Visit with Santa and the Grinch; Strolling Carolers and more!

(e) Brunch with Santa

Mayor Alexander announced the Salisbury Parks and Recreation Department will hold "Brunch with Santa" on Saturday, December 2, 2017 from 10:00 a.m. until noon at the Salisbury Civic Center. Participants will enjoy a pancake buffet, games, crafts and quality time with Santa. Pre-registration is required by November 30, 2017 at www.salisburync.gov/PLAY or by calling (704) 216-PLAY. The fee for this event is \$6 per person or \$20 per family of four.

(f) Free Rides with Santa

Mayor Alexander announced the Visitor's Center in Downtown Salisbury will host free rides with Santa and the Grinch on antique fire trucks Saturday, December 16, 2017 from 11:00 a.m. until 2:00 p.m.

(g) Historical Marker Dedication

Mayor Alexander announced the Salisbury Fire Department will host a dedication of a historical marker to honor the Fire Department's 200 years of service to the citizens of Salisbury. The dedication will take Friday, December 8, 2017 at 10:00 a.m. near the 100 block of East Innes Street and is open to the public.

(h) Fire Department 200th Celebration Parade

Mayor Alexander announced the Fire Department will hold its 200th Celebration Parade on Friday, December 8, 2017 from 7:00 p.m. until 8:30 p.m. The parade will begin on North Main Street at Kerr Street and will conclude at South Main and Monroe Streets. The parade will honor the works and dedication of the Salisbury Fire Department and its members and is also for the enjoyment of citizens.

CLOSED SESSION

Mayor Alexander requested a motion to go into closed session to consult with an attorney as allowed by NCGS 143-318.11(a)(3) and concerning an economic development matter as allowed by NCGS 143-318.11(a)(4).

Mr. Hardin asked to be recused from the closed session proceedings.

Thereupon Ms. Blackwell made a **motion** to recuse Mr. Hardin. Mr. Miller seconded the motion. Messrs. Miller and Post, and Mses. Alexander and Blackwell voted AYE. (4-0)

Thereupon Mr. Alexander made a **motion** to go into closed session to consult with an attorney as allowed by NCGS 143-318.11(a)(3) and concerning an economic development matter as allowed by NCGS 143-318.11(a)(4). Mr. Post seconded the motion. Messrs. Miller and Post and Mses. and Blackwell voted AYE. (4-0)

RETURN TO OPEN SESSION

Mayor Alexander requested a motion to return from closed session.

Thereupon Ms. Blackwell made a **motion** to return to open session. Mr. Miller seconded the motion. Messrs. Miller and Post and Mses. and Alexander and Blackwell voted AYE. (4-0)

Mayor Alexander reported no action was taken during the closed session meeting.

City Manager Lane Bailey asked Council for its direction regarding the December 5, 2017 Council meeting. Mayor Pro Tem Blackwell clarified a large crowd is anticipated to attend the meeting. Mayor Alexander stated she is in favor of keeping the newly elected Council oath ceremony at City Hall. Councilmember Miller noted he is also in favor of keeping with tradition and having the ceremony at City Hall, and he pointed out after the oaths are administered the crowd typically clears. Councilmember Post indicated he also supports keeping the swearing-in ceremony at Council Chambers with regular business to be held after the oaths are administered.

Mayor Alexander reported a consensus to keep the traditional swearing in reception and ceremony at City Hall.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Miller seconded by Mr. Post. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 9:59 p.m.

A handwritten signature in black ink, appearing to read 'Karen Kirks Alexander', written over a horizontal line.

Karen Kirks Alexander, Mayor

A handwritten signature in black ink, appearing to read 'Diane Gilmore', written over a horizontal line.

Diane Gilmore, City Clerk