

Salisbury, North Carolina
January 20, 2009

REGULAR MEETING

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

ABSENT: Mayor Susan Kluttz and Councilman William (Pete) Kennedy.

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

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Woodson led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Pro Tem Woodson recognized all visitors present.

PARKS AND RECREATION ADVISORY BOARD RECOGNITION

Ms. Elaney Hasselmann, Parks and Recreation Marketing and Community Relations Manager, and Mr. James Greene, Jr., Parks and Recreation Advisory Board, recognized Mr. Ty Cobb, Jr. and Ms. Maggie Blackwell for their contributions to Parks and Recreation. Ms. Hasselmann noted that Mr. Cobb currently serves as a volunteer lifeguard at Lincoln Pool and is the oldest certified volunteer life guard in North Carolina. She reviewed Mr. Cobb's background and thanked him for providing a safe

environment for local residents and for being an example for other community volunteers.

Mayor Pro Tem Woodson thanked Mr. Cobb for his service to the community.

Ms. Hasselmann noted that in 2008 the Salisbury Parks and Recreation Department nominated Ms. Blackwell for the National Humanitarian Award for her outstanding service to the Parks and Recreation community. She pointed out that Ms. Blackwell was instrumental in raising \$40,000 for the development and construction of Fulton Height's Centennial Park, which was the first park to be built in the City in ten years.

Mayor Pro Tem Woodson thanked Ms. Blackwell for the wonderful job she does for the City's neighborhoods. Ms. Blackwell thanked Council for their support and assistance with this project.

PROCLAMATION

Mayor Pro Tem Woodson proclaimed the following observances:

NATIONAL MENTORING MONTH
CATHOLIC SCHOOLS WEEK

January 2009
January 25-31, 2009

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular meeting of December 16, 2008 and January 6, 2009.

(b) Budget Ordinance

Adopt a budget Ordinance amendment to the FY 2008-2009 budget in the amount of \$29,841 to appropriate funds from North Carolina Department of Transportation for landscape improvements on East Innes Street.

AN ORDINANCE AMENDING THE 2008-2009 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE FUNDS FOR EAST INNES STREETSCAPE

(The above Ordinance is recorded in full in Ordinance Book No. 22 at Page No. 2, and is known as Ordinance No. 2009-02.)

(c) Temporary Street Closing

Close the 100 block of East Liberty Street Saturday, January 24, 2009 from 4:00 p.m. until 12:00 Midnight for the annual Waterworks Visual Art Center Oyster Roast.

Thereupon, Mr. Burgin made a **motion** to adopt the consent agenda as presented. Mr. Lewis seconded the motion. Messrs. Burgin, Lewis, and Woodson, voted AYE. (3-0)

WATER SUPPLY UPDATE

Mr. Jim Behmer, Utilities Director, reported on the January 7, 2009 water supply emergency which resulted in voluntary water conservation measures:

Wednesday, January 7, 2009

- 3:30 p.m. – Wind storm knocks out Duke Power transformer on Hannah Ferry Road
- Transformer replaced by Duke Power
- Upon start-up of new transformer, electrical system damage at Pump Station is evident
- Emergency plan to bring in back-up diesel pumps initiated

Thursday, January 8, 2009

- South Rowan communities asked to suspend use of Salisbury water supply
- Activation of Statesville Emergency Interconnection
- Level two mandatory restriction implemented
- Yadkin River flooding limited ability to access Pump Station

Response to Water Supply Emergency

- Hannah Ferry Road flooding limited access to site on Thursday
- Much of emergency work occurred at night and under difficult conditions
- Coordinated effort to assemble and weld emergency piping
- Access to site limited to allow crews to complete emergency repairs
- Temporary pipes supplied river water over land to two five million gallon emergency diesel pumps to fill up the City's reservoir

Friday, January 9, 2009

- 2:30 a.m. – Diesel pumps began supplying water to reservoirs

Saturday, January 10, 2009

- Repair of River Pump Station electrical system continued

Sunday, January 11, 2009

- 10:45 p.m. – Startup of River Pump Station

Monday, January 12, 2009

- Reservoir filled
- Water restrictions lifted

Mr. Behmer pointed out that temporary diesel pumps began filling the reservoir on Friday, January 9, 2009 at 8:00 a.m. and the reservoir was at a normal level by 10:30 a.m. on Sunday, January 11, 2009. He displayed photographs of the site during the repair. He recognized Plants Maintenance Supervisor Jerry Kepley and Utilities staff who assisted with the emergency response.

Mayor Pro Tem Woodson thanked staff for their service to the City and thanked Mr. Randy Welch, Duke Energy and Mr. Frank Thomason, Rowan County Emergency Services. City Manager David Treme asked Mr. Thomason and Mr. Welch to speak on the water emergency.

Mr. Thomason stated that due to prior planning and coordinated efforts this emergency was almost a non-event. He pointed out that the City can be proud of its staff and can feel secure that they are ready in the event of emergencies.

Mr. Welch agreed that the City should be proud of its staff and he expressed his appreciation of Duke Energy's partnership with City staff as they worked through the issues.

Councilman Burgin asked if there was an emergency generator located at the pump station. Mr. Behmer responded that there is no emergency generator on site. Mr. Burgin pointed out that the City may need to look into the possibility of obtaining an emergency generator.

Mr. Treme noted that the repairs came together like clockwork. He added that there was a great feeling of satisfaction when transformers went online.

UPDATE – SALISBURY-ROWAN FARMER'S MARKET

Mr. Darrell Blackwelder, Rowan County Cooperative Extension, and Mr. Harry Agner, Salisbury-Rowan Farmer's Market Manager, gave Council an update on the Salisbury-Rowan Farmer's Market. Mr. Agner commented that the most active months for the market are June, July, and August. He stated that the market was open 57 days in 2008 with 27 vendors who generated \$400,000 in revenue and that the market processed 2,331 Women Infant and Children (WIC) vouchers. He noted that the market features baked goods, produce, fresh flowers, meats, eggs, and crafts.

Mr. Blackwelder stated that in 2009 the Farmer's Market will continue to accept WIC vouchers and because of the Market's association with the City they have been approved to accept food stamps, credit/debit cards, and may also be able to accept senior

vouchers. He pointed out that the Salisbury-Rowan Farmer's Market was one of six in North Carolina to receive this approval. He stated that he will continue to write grants for the promotion of healthy foods and good nutrition in low income areas. He indicated that the market is viable and growing and may need to explore a larger, more permanent site in the future. Mr. Blackwelder thanked the City for its support of the market.

Mr. Burgin stated that he is happy the market may need a new location because this is an indication that it is successful.

HIGHLIGHTS AND GOALS PRESENTATION – COMMUNITY APPEARANCE COMMISSION, HISTORIC PRESERVATION COMMISSION, AND PARKS AND RECREATION ADVISORY BOARD

Community Appearance Commission

Ms. Barbara Perry, Community Appearance Commission (CAC) Chair, and Ms. Lynn Raker, Staff Liaison, reviewed the Community Appearance Commission's highlights for 2008 and goals for 2009.

Highlights for 2008

- Awarded nine Municipal Service District Incentive Grants
 - Total Grants: \$24,851
 - Total Project Amounts: \$515,555
- Awarded nine Innes Street Improvement Grants
 - Total Grants: \$30,258
 - Total Project Amounts: \$201,558
- Participation on Public Art Committee
 - Four new History & Art Trail markers (18 total)
 - Wiley Lash marker dedication
 - Salisbury Cotton Mills Project
 - Salisbury Sculpture Show "Discover What's Outside"
 - Private purchase of "Sentinel #2"
- Neighborhood Leaders Alliance
 - Biannual meetings
 - Continued support for better housing
 - No parking in front yard with Land Development Ordinance
- Working with Jersey City and Fairview Heights entrance signs
- Co-sponsored spring and fall spruce-up with Public Services Department
- Working with Livingstone College on Adopt-a-Street program
- Landscape Committee
 - Awarded 12 Landscape of the Month awards
 - 4th Annual Holiday Storefront Decorations awards

Goals for 2009

- Continue efforts to promote better housing conditions, working with new Code Services Division to advise on the development of policy and standards, including but not limited to stricter codes, inspection between rentals, rental certificates of occupancy, and a Council-appointed Housing Commission
- Partner with Downtown Salisbury, Inc. (DSI) to initiate planning and funding for major downtown streetscape improvements that would include but not be limited to sidewalks, pedestrian lighting and furniture, street trees, parking lot upgrades, and improvements at the Square
- Partner with DSI to develop a master plan for downtown holiday decorations
- Municipal Service District Grant History 1981-2008
 - Public Investment 1981-2008: \$377,000
 - Private Investment 1981-2008: \$5,215,000
- Innes Street Improvement Grant History 1996-2008
 - Public Investment 1996-2008: \$239,400
 - Private Investment 1996-2008: \$4,095,000
- Goals Requiring Funding
 - Continue the Municipal Service District Grant program
 - \$35,000
 - Continue the Innes Street Incentive Grant program
 - \$35,000
 - Host biennial CAC and Tree Board Awards program
 - \$5,000
 - Continue spring and fall Spruce-up Days, Adopt-a-Salisbury Street Program, Landscape of the Month, and other programs
 - \$2,250
 - Improve appearance, comfort, and maintenance of downtown streetscape with three year phased purchase and installation of additional receptacles and benches (year 2 of 3)
 - \$5,000
 - Continue to expand public art & education with History & Art Trail, sculpture show, etc.
 - \$20,000
 - Add receptacles to medians on both sides of the East Innes Street Railroad Bridge
 - \$3,000

- Other Key Goals
 - Continue to serve as liaison for neighborhood leaders. Host biannual neighborhood leaders meetings
 - Support DSI efforts to develop maintenance ordinance for commercial buildings
 - Continue to raise awareness of public art opportunities

Ms. Perry thanked Council for its support of the CAC.

Mr. Woodson stated that he appreciates the hard work done by CAC.

Historic Preservation Commission

Ms. Anne Lyles, Historic Preservation Commission (HPC) Chair, and Ms. Janet Gapen, Staff Liaison, reviewed the Historic Preservation Commission’s highlights for 2007-2008 and goals for 2009-2010.

Highlights for 2007-2008

- Certificates of Appropriateness
 - Granted 47
 - Denied 2
 - Withdrawn 0
 - Deferred 0
 - Total 49
- Minor Works (approved by)
 - Staff 93
 - Committee 50
 - Total 143
- Total Application 192
- Approved 99%
- Historic Preservation Incentive Grants
 - \$30,000 Budget (annually FY 2007-2008)
 - \$28,562 awarded in FY 2007
 - \$21,300 committed in current FY 2008
- Public Information Efforts
 - Newsletters
 - Mailed to all property owners biannually
 - Provide contacts and other helpful information
 - Preservation Month
 - Coloring Contest
 - Information Display at Friday Night Out

Goals for 2009-2010

- Provide local match for Historic Preservation Commission Fund grant to complete National Register inventory updates and possible district expansions
 - \$20,000 (to provide local match)
 - Salisbury Historic District (1975)
 - Livingstone College Historic District (1979)
 - Brooklyn-South Square Historic District (1985)
 - North Main Street Historic District (1985)
- Continue Historic Preservation Incentive Grant Program
 - \$30,000 (current level of funding)
- Consider seeking local bill to regulate demolition in residential districts
- Assist Fulton Heights neighborhood concerning local historic district designation
- Support initiatives to improve the condition of housing and commercial properties
- Ensure that historic district review process is fully supported by new customer service software
- Provide historic district information to building inspections and other agencies
- Continue to update Historic District guidelines
- Continue efforts to inform property owners using newsletter, Access 16, and other avenues
- Continue to expand and update the website
- Continue efforts to inform real estate agents and brokers
- Take advantage of training opportunities for HPC members and staff
- Work with Geographical Information Systems (GIS) division to complete photographic inventory of district properties
- Support GIS division efforts to create online searchable database of historic structures
- Coordinate Preservation Month activities – May 2009

Mr. Woodson thanked Ms. Lyles and the Historic Preservation Commission for their hard work and dedication of service.

Parks and Recreation Advisory Board

Mr. Jimmy Green, Parks and Recreation Advisory Board, and Ms. Gail Elder White, Staff Liaison, reviewed the Parks and Recreation Advisory Board's highlights of 2008 and goals of 2009.

Highlights of 2008

- Extensive Use of Salisbury Community Park
 - More than 397,000 visitors

- Rowan Little League Baseball
- Girls Softball League
- Rowan Youth Alliance Soccer
 - Youth Recreation League
 - Youth Challenge League
- Hispanic Soccer League
- Softball Tournaments
- Salisbury High School's Tri-County Cross Country Meets
- Catawba Cross Country Meets
- North Carolina Cyclo-Cross Races
- 7th Annual Fishing Derby

- New Play Structures
 - Installed at Cannon Park
 - Jaycee Optimist Sports Complex

- Jaycee Optimist Sports Complex
 - Renovated and opened to the public on September 27, 2008

- Jersey City Park
 - New shelter installed

- Property Donation
 - A parcel donation was received from Mr. Walter Tatum for a neighborhood park in the Meadowbrook/Milford Knolls area

- City Park
 - Replacement of tennis courts

- Recipient of Fit Community Grant
- Revenue Pricing
 - The existing Salisbury Parks and Recreation revenue pricing policy was reviewed, updated, and approved

Goals for 2009

- Priority Level 1
 - Renovate Lincoln Park according to the new master plan
 - Provide financial support of the five year Parks and Recreation Capital Improvement Plan
 - Provide full annual allocation of funds for renovation of existing parks (\$125,000)
 - Provide funding for renovation and additions to the existing Civic Center (\$1,500,000 for gym addition) and (\$200,000 to begin park development)
 - Renovation of Sports Complex, Phase 2 (\$600,000)

- Implement a duck/geese educational program
- Begin the park planning process for the Tatum property

- Priority Level 2
 - Neighborhood park land acquisition, east of I-85 (\$125,000)
 - Provide funding to recruit tournaments and events to our parks (implement into the operating budget)
 - Design (\$25,000) and development of a Hall of Fame Building/Education Center at the Salisbury Community Park and Athletic Complex

- Supporting Goals
 - Support continued design and development of the Salisbury Greenway
 - Support neighborhood problem solving, through programs and park renovations in Jersey City and North Main Street areas

Mr. Woodson thanked the Parks and Recreation Advisory Board for their hard work.

NEIGHBORHOOD STABILIZATION GRANT

(a) Ms. Janet Gapen, Senior Planner, addressed Council regarding a Neighborhood Stabilization Grant that is administered through the North Carolina Department of Commerce, Division of Community Assistance. Ms. Gapen explained that funds for this grant were established by the Federal government through the Housing and Economic Recovery Act of 2008. She indicated that the Act required each State to determine the areas of greatest need and 23 counties were identified in North Carolina. She added that Rowan County was one of the 23 counties determined to be at greatest need in the State.

Ms. Gapen explained the Housing and Economic Recovery Act of 2008:

- \$3.92 billion – Housing and Economic Recovery Act 2008
- Targeted emergency assistance to help stabilize areas at risk due to foreclosures, subprime lending activity
- Community Development Block Grant program (CDBG)
- Acquisition/rehabilitation of foreclosed and abandoned homes
- Statutory requirements:
 - All funds must benefit households with incomes less than 120% area median income (AMI)
 - At least 30% of funds must be used to benefit persons whose incomes do not exceed 50% AMI

Ms. Gapen noted the role of the North Carolina Division of Community

Assistance:

- Administer \$52.3 million allocated to North Carolina
- Identified 23 areas (counties) of greatest need

Ms. Gapen reviewed the eligibility guidelines:

- Grant range: \$2-\$5 million
- Additional 5% for administrative support
- Eligible activities include
 - Financing assistance
 - Acquisition of abandoned and foreclosed homes
 - Rehabilitation
 - Demolish blighted structures
 - Construction of new homes on vacant/demolished lots

Ms. Gapen then explained the application process:

- Partner with Salisbury Community Development Corporation
- Complete analysis to identify local areas of greatest need
- Identify list of potential properties
- Hold public hearings
- Application Deadline: February 3, 2009

Ms. Gapen reviewed a map of Rowan County with census areas that were highlighted using a Housing and Urban Development (HUD) measure of estimated foreclosure risk. She pointed out areas that rated seven or higher on HUD's scale of one to ten. She noted that staff also reviewed data regarding the percentage of high cost loans and noted a pattern similar to the HUD scores. She then displayed a graphic projecting 18 months and noted that it is projected that there will be an increase in foreclosure starts. She also looked at census areas where the majority of the population earns under 120% of the Area Median Income (AMI) and noted that this threshold is approximately \$75,000 for a four person household. She indicated that the funds will be used in the areas where more than 50% earn less than 120% of the AMI. In addition, at least 30% of the funds will be used to assist households who earn less than 50% of the AMI.

She requested Council consider adopting a Resolution in support of the grant application.

Mayor Pro Tem asked Ms. Gapen to clarify the average income for these areas is \$75,000. Ms. Gapen explained that \$75,000 is 120% of the area median income.

(b) Mayor Pro Tem Woodson convened a public hearing, after due notice thereof, to receive comments on the proposed Neighborhood Stabilization Grant.

Mr. Jack Thomson, 530 West Monroe Street, Historic Salisbury Foundation

(HSF) Director, expressed his gratitude to City staff for taking the initiative to identify this grant opportunity. He noted that the majority of the historic district is included in the area of greatest need and he feels the program could reduce the number of foreclosures. He commented that the HSF Neighborhood Revitalization program has focused on the traditional neighborhoods of Salisbury for the past 40 years, and has saved over 100 historic properties. He indicated that because of HSF's experience in saving the traditional neighborhoods, the Foundation formally requests to partner with the City to undertake very specific rehabilitations within the historic district that can be funded by the Neighborhood Stabilization Grant. He indicated that the HSF is ready to meet with staff in order to develop a relationship to achieve success in helping Salisbury's threatened neighborhoods survive the housing crisis.

There being no one else to speak, Mayor Pro Tem Woodson closed the public hearing.

Councilman Burgin commented that he thinks this grant program would be valuable to the City and added that he thinks the City could partner with Historic Salisbury Foundation. He noted that the City has already partnered with the Community Development Corporation (CDC) but he believes if the City is able to receive a large grant funding, it will need the additional assistance to administer it. He commented that the Historic Salisbury Foundation has an expertise for historic structures that could be utilized. He noted that he fully supports the grant application and he believes it is coming at the right time. Mr. Burgin noted that the City has its partnership with the CDC in place, in addition to an offer from an organization with a successful track record and believes this will allow Salisbury to have an attractive grant application.

Councilman Lewis commented that he believes this will be a jobs program in the changing mortgage industry. He noted that people still need down payment assistance and this is addressed in the grant program and he hopes the City will be able to receive the grant funds.

(c) Thereupon, Mr. Lewis made a **motion** to adopt a resolution in support of an application for a North Carolina Department of Commerce, Division of Community Assistance for a Neighborhood Stabilization Grant. Mr. Burgin seconded the motion. Messrs. Burgin, Lewis, and Woodson voted AYE (3-0)

A RESOLUTION IN SUPPORT OF AN APPLICATION FOR A NORTH CAROLINA DEPARTMENT OF COMMERCE, DIVISION OF COMMUNITY ASSISTANCE NEIGHBORHOOD STABILIZATION GRANT.

(The above Resolution is recorded in full in Resolution Book No. 13 at Page No. 6, and is known as Resolution 2009-03)

Council requested staff communicate with the Historic Salisbury Foundation for a possible partnership if the City is successful in its grant application.

VOLUNTARY ANNEXATION – ROWAN CABARRUS COMMUNITY COLLEGE

(a) Mr. Craig Powers, Staff Engineer, addressed Council regarding the voluntary annexation of Rowan Cabarrus Community College. He noted the location of the site adjacent to Jake Alexander Boulevard and Old Concord Road. He pointed out that a portion of the campus is located inside the City limits and the College has requested the annexation of the remainder of the campus which is 99.931 acres. Mr. Powers noted that due to the absence of two members of Council there will need to be a second reading of the Ordinance. He asked Council to consider an Ordinance annexing Rowan Cabarrus Community College effective February 3, 2009.

(b) Mayor Pro Tem Woodson convened a public hearing, after due notice thereof, to receive comments on the proposed annexation of Rowan Cabarrus Community College.

There being no one to speak, Mayor Pro Tem Woodson closed the public hearing.

(c) Thereupon, Mr. Lewis made a **motion** to adopt an Ordinance to extend the Corporate Limits of the City of Salisbury, North Carolina, 99.931 acres to include Rowan Cabarrus Community College effective February 3, 2009. Mr. Burgin seconded the motion. Messrs. Burgin, Lewis, and Woodson voted AYE. (3-0)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, 99.931 ACRES TO INCLUDE ROWAN CABARRUS COMMUNITY COLLEGE

(The above Ordinance is recorded in full in Ordinance Book No. 22 at Page Nos. 3-4, and is known as Ordinance 2009-03)

**Due to the lack of an affirmative vote of two-thirds of all members of the Council required to adopt an annexation Ordinance on its first reading, it will be necessary to have a second reading on the above ordinance before it can be ratified.*

PETITION – EXTENSION OF BUS SERVICE TO LASH DRIVE

Ms. Mary Adams, 315 Lash Drive Apartment 201, addressed Council regarding a request for bus service on Lash Drive. She noted that there are two senior citizen apartment complexes, two apartment complexes, and one nursing home located on Lash Drive. She indicated that there are 500 families that live on Lash Drive and the nearest bus stop is located at the Salisbury Mall which is 1.4 miles away. She stated that if bus service is provided more families would be able to visit residents of the nursing home and it would make transportation easier for all residents of Lash Drive.

Mr. Archie Reid, 822 Laurel Point Circle, stated that Ms. Adams approached him regarding the bus situation. He stated that Laurel Point Apartment residents signed a petition for bus service in the Lash Drive area because many residents use public transportation for commuting to work. He stated it would be a major convenience if the bus stop was closer than 1.4 miles. He indicated that there are several single mothers and senior citizens who depend on public transportation. He stated that the community is not asking for major changes, just an adjustment to the current bus route. He commented that his heart goes out to the seniors who walk 1.4 miles in the heat and cold in order to have transportation. Mr. Reid added that he believes a closer bus stop would improve the quality of life for seniors in the neighborhood and would also increase ridership.

Mayor Pro Tem Woodson thanked Ms. Adams and Mr. Reid for presenting this to Council and indicated that it is his understanding that the State is reviewing this request.

City Manager David Treme indicated that the City is exploring ways to reorganize the bus route and is in the process of studying the routes to determine if expansion is possible or if an addition to the route will be needed. He added that the State has also been invited to explore the reorganization of the route since State funds are received for the Transit System. He stated that staff will provide an update to Council at its next meeting and that this may be a budget item for consideration during the budget process. .

HISTORIC PRESERVATION INCENTIVE GRANT PROGRAM CHANGES

Ms. Janet Gapen, Senior Planner, addressed Council regarding changes to the Historic Preservation Incentive Grant program. Ms. Gapen stated that the program began in the 1990s and in the last several years Council has allocated \$30,000 annually for the incentive grants. She stated that the program makes funds available to owner-occupied residential properties for routine maintenance and minor repairs. She noted that within the last year a business owner requested that the program be expanded to include certain business properties. She indicated that the changes to the program would include broadening the program eligibility to include owner-occupied businesses in addition to owner-occupied residential property.

Ms. Gapen informed Council that the Historic Preservation Commission (HPC) and Community Appearance Commission (CAC) have reviewed the request. She pointed out that the CAC agreed unanimously to recommend adoption the changes. She noted that the HPC had concerns regarding the determination of income for business property owners and that the income producing nature of the business properties is not in keeping with the spirit of the program. She stated that members of the HPC noted that the funding for the residential program has been static for several years and they recommend the creation of a separate program for commercial corridors.

Ms. Gapen stated that the changes would not include businesses in the historic downtown area of Salisbury. She indicated that the businesses in the downtown area are covered by two other City grant programs.

Councilman Lewis stated that he supports the changes as presented and he does not believe there is an issue with income determination. He indicated that because of the requirements for historic districts, the property will have to meet certain expectations whether it is commercial or residential. He added that he believes the properties should still be eligible for the grant, although they may or may not receive one. Mr. Lewis noted that many of the businesses in these areas would be eligible for the Neighborhood Stabilization Grant and he feels this is an indication of the income level for the area and the need for assistance.

Mr. Burgin stated that the purpose of the grant is to provide incentives for improvements in the historic districts, whether it is a home or business. He noted that he is in favor of the changes.

Thereupon, Mr. Burgin made a **motion** to adopt the changes to the Historic Preservation Incentive Grant program as presented. Mr. Lewis seconded the motion. Messrs. Burgin, Lewis, and Woodson, voted AYE. (3-0)

UPDATE – CONSTRUCTION PLANS FOR THREE DOWNTOWN PARKING LOTS

Ms. Lynn Raker, Urban Design Planner, addressed Council concerning construction plans for three downtown parking lots. Ms. Raker indicated that the funds for the construction of these parking lots have been approved by Council in the current budget. She reviewed the plans for the parking lots:

Central Parking Lot – 100 Block of East Innes Street

- Staff has had two group meetings with surrounding business and property owners
- Staff has met with individual owners
- Proposed Plan:
 - Will meet zoning requirements
 - 43 public spaces (current: 40 public spaces)
 - Pedestrian access (mountable curb)
 - Hogan’s alley becomes pedestrian only
 - Accommodate deliveries
 - Mid-block crossing (future)
 - Decorative lighting (remove existing poles)
 - Landscaping
 - Traffic calmer
 - Shared dumpster
 - Entrance feature (planters, public art)
 - Resurface asphalt
 - Work with owners on back façade grants

200 Block of South Lee Street Lot

- Staff met with adjacent property owners (2007)
- Proposed Plan:
 - Will meet zoning requirements
 - Vehicular connection to existing corner parking lot and South Lee Street
 - Pedestrian connection to Noble & Kelsey lot
 - Adds 18 primary spaces (+6 additional private spaces)
 - Decorative lighting
 - Landscaping
 - Permeable concrete paving minimizes run-off

City Hall Parking Lot Expansion – 100 Block of East Bank Street

- Staff met with Piedmont Players
- Proposed Plan:
 - Will meet zoning requirements
 - Connects to existing City Hall parking
 - Adds 54 spaces
 - Efficiently uses lot dimensions for surface parking or deck
 - Could accommodate geothermal well layout
 - Decorative lighting
 - Landscaping
 - Lot re-graded, with raised planters at Bank Street
 - “Rain Garden” to intercept run-off
 - Permeable pavement or asphalt, or combination

Preliminary Budget

- \$725,000

Preliminary Estimates

• Central City Parking Lot:	\$320,000
• 200 Block South Lee Street Lot:	\$125,000
• City Hall Parking Lot Expansion:	<u>\$175,000</u>
TOTAL:	\$620,000

Ms. Raker indicated that she based these estimates on the costs for the Fisher Street lot and added that the Central City parking lot estimate does not include the mid-block crossing.

Councilman Burgin stated that he would like to have street level parking reserved for retail.

Councilman Lewis noted that staff may want to consider the timing for the City Hall parking lot in regards to the impact it will have on the Farmer's Market.

Mr. Treme stated that he wanted Council to be aware of what the plans for the parking lots are and that staff will proceed and prepare bids. He indicated that staff will move forward and aim to have these jobs completed by summer.

AWARD CONTRACT – Foothills Water & Sewer, Inc.- Water and Sewer Improvements

Mr. Jim Behmer, Utilities Director, addressed Council regarding a contract with Foothills Water & Sewer. He indicated that staff received 10 competitive bids for water and sewer improvements in the Camp Road 2007 Annexation area. He noted that the lowest bid was received from Foothills Water & Sewer and was well below engineering estimates.

Thereupon, Mr. Burgin made a **motion** to award a contract in the amount of \$317,316 to Foothills Water & Sewer, Inc., for the installation of water and sewer improvements in the Camp Road 2007 Annexation area. Mr. Lewis seconded the motion. Messrs. Burgin, Lewis, and Woodson voted AYE. (3-0)

AWARD CONTRACT – RAM Development of Mooresville, Inc. – Water and Sewer Improvements

Mr. Jim Behmer, Utilities Director, addressed Council regarding a contract with RAM Development of Mooresville, Inc. for water and sewer improvements in the Old Mocksville Road 2007 Annexation area. He indicated that staff received six responsive bids with the lowest bid being submitted from RAM Development of Mooresville, Inc.

Thereupon, Mr. Burgin made a **motion** to award a contract in the amount of \$301,747.77 to RAM Development of Mooresville, Inc. for the installation of water and sewer improvements in the Old Mocksville Road 2007 Annexation area. Mr. Lewis seconded the motion. Messrs. Burgin, Lewis, and Woodson voted AYE. (3-0)

PRESENTATION – FATS, OILS, AND GREASE ORDINANCE

Ms. Sonya Bassinger, Environmental Services Manager, introduced the Mr. Johnny Rogers, Fats, Oils, and Grease (FOG) Inspector, and Mr. Aaron Otten, FOG Program Coordinator. Mr. Otten presented a proposed policy for managing fats, oils and grease:

What is FOG?

- Improperly managed, FOG can block wastewater collection and treatment systems.

Why does FOG matter?

- FOG blockages harm public health, the environment, and increase operating costs for the owner of the drainage line
- The owner of the home or business where FOG has caused a backup is often responsible for cleanup and maintenance cost
- In 2007, an average of 500 sanitary sewer overflows was reported across North Carolina due to FOG accumulation.

Mr. Otten displayed a FOG sewer line video pointing out the FOG accumulation in a sewer line.

Why a FOG Policy?

- An increasing number of sewer overflows has caused the Environmental Protection Agency (EPA) and North Carolina Division of water quality to develop new requirements
- The new collection system permit requirements include:
 - FOG prevention enforcement program
 - Education program for municipalities operating collection systems

Who will be affected?

- All food service establishments must operate and maintain a properly sized grease trap or interceptor
 - Proposed timeline is two years to install grease interceptor and one year to install grease trap if approved
- Plumbers
- Developers
- Grease waste haulers
- Engineers

New Policies Include:

- Approval process
- Maintenance and record-keeping requirements
- Design criteria
- Responsibilities of existing food service establishments
- Enforcement and response plans

Guiding principles in policy development

- Business-friendly approach while meeting State and Federal requirements and protection of Salisbury-Rowan Utilities (SRU) sewer system

- Adequate time for compliance
- Sizing based on fixtures and not a set minimum
- Options for space constraints
- Consistent with State guidance
- Clear and uniform standards

FOG Control Policy Development Process

- Reviewed existing programs in North Carolina
- Met with several programs to discuss strengths and weaknesses of their policies
- Developed draft policy
- Sent draft policy to Stakeholder groups for review and comment
- Held Stakeholder meetings to allow for discussion and questions
- Revisions and edits were made based on feedback from Stakeholder groups

Stakeholders:

- Internal
 - Land Management and Development Department
 - SRU Management
 - SRU Division Supervisors
- External
 - Rowan County Building Inspections
 - Rowan County Health Department
 - North Carolina Restaurant Association
 - Local restaurants
 - Plumbers
 - Engineers
 - Client Communities
 - Downtown Salisbury, Inc.
 - VA Hospital
 - Rowan County Detention Center
 - Salisbury Housing Authority
 - General Contractors
 - Day Care Facilities

How to Prepare:

- Become familiar with policy changes
- Have your grease trap/interceptor checked and maintained
- Implement a record keeping system – SRU can assist with this process

How Will We Help:

- Meetings with food service establishments
- Provide education to help food service establishments become familiar with the new requirements
- Adequate compliance time

Next Steps:

- Public Hearing
- Continue to receive comments and feedback from Stakeholders
- Propose revisions to Sewer Resource Ordinance
- Propose revisions to Uniform Construction Standards Manual
- Adoption of policy

Mayor Pro Tem Woodson thanked the FOG team for their presentation.

Councilman Lewis asked if churches with commercial kitchens would be included in the policy. Mr. Otten responded that unless the church has a day care facility or is operating a business, it will not be included at this point. He added that churches could be phased in if it becomes an issue. Mr. Lewis pointed out that he would like the City to highlight any standards that exceed State recommendations.

By consensus, Council agreed to schedule a public hearing for February 3, 2009.

BOARDS AND COMMISSIONS

This item was postponed.

PUBLIC COMMENT

Mr. Larry Wright, Heritage Lane, addressed Council regarding his views on annexation. He stated that since cities receive funds for street maintenance, block grants and sales tax revenue, those living outside of the City limits have already made a huge contribution to the cities. He also stated that the North Carolina League of Municipalities (NCLM) claims that cities cannot grow without using forced annexation. Mr. Wright pointed out that most States in the Country do not allow forced annexation, and the Country, State, and County grow without forced annexation. He stated that he has given his consent to be governed to the Country, State, and County, but has not given the right to be governed to the City of Salisbury because he cannot vote in City elections. He stated that the opponents of forced annexation are asking the Legislature to give them the right to vote and the effective oversight by a third party on forced annexation.

COMMENTS FROM THE CITY MANAGER

(a) Quarterly Budget Meeting

City Manager David Treme stated that he will meet with Department Managers in the next two weeks to review each department's budget in order to determine the status of

the current budget. He indicated that sales tax revenues are down statewide and next year will be a difficult budget year.

(b) New City Divisions

City Manager David Treme announced the realignment of two City Divisions. He indicated that the Land Management Division will be managed by Mr. Joe Morris and will consist of the Planning Department, Geographical Information System (GIS), and Code Enforcement. He stated that the Engineering Department and Development Services will be managed by Mr. Dan Mikkelson.

MAYOR'S ANNOUNCEMENTS

(a) 24th Annual Future Directions and Goal Setting Retreat

Mayor Pro Tem Woodson announced that the 24th Annual Future Directions and Goal Setting Retreat will be held February 12-13, 2009.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Burgin, seconded by Mr. Lewis. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 6:50 p.m.

Mayor

City Clerk