

Salisbury, North Carolina  
May 17, 2005

**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 Councilman Lewis.

**PLEDGE OF ALLEGIANCE**

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

**REQUEST TO EXCUSE COUNCILMAN LEWIS**

Mayor Kluttz noted that Councilman Lewis would need to leave the meeting at 4:45 p.m. to attend a business meeting.

Thereupon, Mr. Burgin made a **motion** to excuse Councilman Lewis from the meeting at 4:45 p.m. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Woodson, and Ms. Kluttz voted AYE (4-0)

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**RECOGNITION OF VISITORS**

Mayor Kluttz recognized all visitors present.

**RECOGNIZE MR. MARK WINEKA FOR HIS COVERAGE OF CITY COUNCIL FOR THE SALISBURY POST**

Mayor Kluttz recognized Mr. Mark Wineka for his coverage of City government for the Salisbury Post. Each member of Council, as well as City Manager David Treme and City Clerk Myra Heard spoke about Mr. Wineka and his professionalism in providing fair and accurate reporting to the citizens of Salisbury. Mayor Kluttz read a resolution of recognition honoring Mr. Wineka's work and presented a framed copy of the resolution to Mr. Wineka.

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

RESOLUTION – RECOGNITION OF MARK WINEKA, REPORTER FOR SALISBURY POST.

(The above Resolution is recorded in full in Resolution Book No. 12, Page No. 14, and is known as Resolution No. 2005-13.)

Mayor Kluttz recognized special visitors Mr. Ralph Ketner, Mr. Jim Hurley, Dr. John Wear, Jr., and Ms. Elizabeth Cook who were in attendance in support of Mr. Wineka.

Mayor Kluttz then presented Mr. Wineka with a Key to the City and thanked him for his contributions and wished him continued success.

## PROCLAMATION

Mayor Kluttz proclaimed the following:

LET'S GET CONNECTED DAY

May 21, 2005

## CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of May 3, 2005 and Community Park Tour of May 10, 2005.

(b) Budget Ordinance Amendment - Parks and Recreation Department

Adopt a budget ordinance amendment to the FY2004-2005 budget in the amount of \$13,777.50 to appropriate various donations received by Parks and Recreation Department.

AN ORDINANCE AMENDING THE 2004-2005 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA, TO APPROPRIATE VARIOUS RECREATION DONATIONS.

(The above Ordinance is recorded in full in Ordinance Book No. 20, Budget, at Page No. 26, and is known as Ordinance No. 2005-23.)

(c) Street Closing - 400 Block of Mitchell Avenue

Approve closing the 400 block of Mitchell Avenue from 4:00 p.m. until 7:00 p.m. May 22, 2005 for the Fulton Heights Neighborhood Association neighborhood picnic.

(d) Street Closing - 800 Block of West Fisher Street

Approve closing the 800 block of West Fisher Street from 3:30 p.m. until 6:00 p.m. May 26, 2005 for the Salisbury Community Development Corporation West End open house.

(e) Voluntary Annexation - Drummond Village Phase 1

Receive a Certificate of Sufficiency from the City Clerk concerning the voluntary annexation of Drummond Village, Phase 1, and adopt a resolution setting a public hearing for June 7, 2005.

RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF THE ANNEXATION OF DRUMMOND VILLAGE PHASE 1 (11.364 ACRES) PURSUANT TO G.S. 160A-31 AS AMENDED.

(The above Resolution is recorded in full in Resolution Book No. 12, at Page No. 15, and is known as Resolution No. 2005-14.)

(f) Group Development Site Plans

Approve the following group development site plans:

- G-07-04 Firehouse Urban Lofts, 100 Block of South Lee Street and 200 Block \_\_\_\_\_ of East Fisher Street
- G-07-05 Rowan County History Museum, 202 North Main Street
- G-04-01 Salisbury Academy, 2210 Jake Alexander Blvd. North
- G-02-05 Walgreens, 705 Jake Alexander Blvd. West

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

## PUBLIC HEARING - FY2005-2006 CITY BUDGET

Mayor Kluttz opened the public hearing for comments on the proposed City budget for fiscal year 2005-2006.

There being no one to speak to Council concerning the proposed budget, Mayor Kluttz closed the public hearing.

Mayor Kluttz noted that Council will conduct a budget worksession Tuesday, May 24, 2005 at 11:00 a.m. in Council Chambers.

## GROUP DEVELOPMENT SITE PLAN - G-05-01 - MANNING PARK PHASE II

G-05-01 - Manning Park, Phase II  
1910 Jake Alexander Blvd. West

(a) Mr. David Phillips, Zoning Administrator, reviewed aerial photographs of Manning Park located at 1910 Jake Alexander Boulevard, West. He noted that the existing park has two buildings and pointed out the area for Phase II construction. He stated that the site plan was previously approved by Council in January but the developer has requested that one tract of land be divided into three (3) parcels. Mr. Phillips noted that the property will be served by a public sewer extension that is proposed to be constructed along Spring Drive and Jake Alexander Boulevard. He noted that due to this construction the streetscape will be altered with the landscaping pushed back and, along with the subdivision of the lot, are the only changes to the site plan.

Mr. Phillips explained that staff approved the site plan using Alternate Methods of Compliance to allow the landscaping to remain as it currently is and not require the landscaping to go along the proposed property lines. He informed Council that staff and the Planning Board recommend approval as submitted.

(b) Mayor Kluttz informed Council that public comments would be received concerning Group Development Site Plan - G-05-01 - Manning Park Phase II.

Ms. Billie Alexander, 203 Spring Drive, stated that she received her notice of the Planning Board public hearing on the day of the meeting leaving her no time to attend. She stated that her neighbor, Mr. John Poe, also received his notice after the meeting had ended and expressed concerns that people in the neighborhood did not receive enough notice to attend the meeting. Ms. Alexander stated that she was visited by Mr. John Henderlite, developer of the property, who indicated that the developers would allow the property adjacent to Mr. Poe's property as a buffer. She commented that she would prefer a one hundred (100) foot buffer for the development.

Ms. Stephanie Broadway, 301 West Colonial Drive, discussed a creek at the back of the property and indicated that she is concerned because the creek has been widened several times over the years. She stated that they have had noise problems and problems with the asphalt plant. Ms. Broadway stated that she also received a copy of the public hearing notice via email. She stated that her concern is if the plan falls through that the neighbors would like to have a limitation for what is on the property and something built that will help block out the sound. She stated they do not know how the development will affect the water situation and how it will run into the creek, noting they have a problem with flooding when there is a heavy rain. She presented a copy of the public hearing notice to the City Clerk.

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

Mayor Kluttz apologized to the neighborhood if they received the public hearing notices late and stated that staff will make the necessary corrections if the City is at fault. She added that Council was aware of the neighbors' concerns through their telephone calls and emails after the Planning Board meeting and this is why Council added a public comment session for this item.

Mr. Phillips responded to the neighbors' concerns stating that the current buffer meets the minimum landscape requirement of fifteen (15) feet in width with a complete visual separation. He noted that Council has the option of requiring additional landscaping if it wished. Mr. Phillips also pointed out an undisturbed parcel on the property that provides a complete visual separation.

Mr. Phillips stated that this area is not a regulated flood area and the storm water will run into a storm basin which will then drain into the creek. He also pointed out that staff does not have a way to address noise issues at this time as there is nothing in the current Code for regulation of this issue.

Councilman Lewis confirmed that the original site plan showed a row of trees, as shown as the buffer on this site plan, and pointed out that the only changes are the row of trees and the division of the property. Mr. Phillips agreed.

Mayor Kluttz asked the developer of the property to come forward to respond to questions.

Mr. Jake Alexander, 8 Woodland Road, informed Council that there is no change to this site plan from the one that was approved last year except for the addition of the lot lines. He stated that when the property was rezoned six (6) years ago the developers offered four (4) of twelve (12) acres to remain natural. Mr. Alexander stated that they are required, by law, not to disturb the stream so they are constructing a sixty-thousand (60,000) foot retaining wall in order to do this. He noted that when the property was rezoned they left the lot adjacent to Mr. Poe's property as residential in order for it to remain undeveloped and to serve as a buffer. He noted that they did disturb some of the property during construction but it will remain completely undeveloped.

Mr. Alexander stated that many neighbors have been pleased with the improvements made by the developers to clean up this area, and added that the developers were lauded by Council for their efforts to preserve natural space when the plan was first approved. He noted that when the three (3) buildings are constructed they will be better sound buffers than what was originally on the property.

Mr. Alexander stated that the plan shows the minimum landscaping but there is actually approximately seventy-five (75) feet, not fifteen (15) feet, on the property adjacent to Mr. Poe.

Councilman Burgin asked if the buffer is shown as it was originally depicted on the approved site plan. Mr. Alexander responded that the developers have always had landscaping requirements and it was included on the previous plan. He reiterated that fifteen (15) feet is shown on the plan but they will actually install more plantings on the undeveloped parcel. He explained that there is a temporary silt basin on the site but once the site is complete the basin will be removed and the water will runoff into the stream or into the retention pond.

Mr. Burgin asked if the only change to the site plan is to add "lines on paper". Mr. Alexander stated that the request is only to subdivide three lots on the plan that was previously approved.

Councilman Kennedy stated that he can empathize with the neighbors but what the developer is requesting is only a subdivision of what was

previously approved, adding he thinks that the neighbors are well protected.

Councilman Lewis indicated that the subdivision is necessary for the condominium type of use because the buildings will be sold rather than leased. He stated that all parties who are adjacent to construction are unhappy while the construction is in progress and added that it is temporary and he hopes that once the construction is complete the neighbors will see the impact and be pleased with the development.

Mr. Burgin stated that he feels what is before Council is "lines on paper" and a sewer that is below grade but the rest of the plan was approved at a previous meeting. He noted that he feels for the neighbors as they look at the progress as it is today, because it is probably at its worst point during development. He stated that he knows once the project is finished it will be beautiful and he is comfortable that what is being requested of Council is appropriate. He added that over time he feels the development will grow to be something very compatible with the neighbors.

(c) Thereupon, Mr. Burgin made a **motion** to approve the site plan. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

*\*\*Councilman Lewis left the meeting at 4:52 p.m.*

#### **VOLUNTARY ANNEXATION - THE GABLES, PHASE 1**

The Gables-Phase 1 - 1900 Block of Faith Road

(a) Mr. Patrick Ritchie, Staff Engineer, informed Council that The Gables is a voluntary annexation submitted by Burgess and Associates. The site is located on Faith Road within the City's extraterritorial area. Mr. Ritchie stated that staff advertised the public hearing as directed and noted that when the advertisement ran in the local paper it referenced the wrong General Statute number. He explained that the notice referenced the General Statute regarding contiguous annexation rather than a satellite annexation. Mr. Ritchie indicated that the City Attorney feels there is no need to re-advertise as long as staff makes public the reference error.

Mr. Ritchie informed Council that staff has been contacted by a citizen who has questioned the way staff measures the annexation area. He reviewed the method used for determining the distance between the annexation area and other municipality's primary limits. He noted that staff is seeking additional time in order to contact the Institute of Government for a determination on the measurement method and asked Council to delay action until its next meeting.

(b) Mayor Klutz convened a public hearing, after due notice and advertisement thereof, concerning voluntary annexation of The Gables, Phase I, 1900 block of Faith Road.

There being no one to speak **for** or **against** the voluntary annexation, Mayor Klutz closed the public hearing.

#### **PARKING RESTRICTION - 100 BLOCK OF EAST 12<sup>TH</sup> STREET**

Ms. Wendy Brindle, Traffic Engineer, informed Council that a request has been received from Henderson Independent High School to restrict parking on East 12<sup>th</sup> Street. She stated that parents park along the street as they pick up their children but with the cars parked in the area buses cannot properly maneuver onto the street. She indicated that staff recommends approval of a parking restriction from Main Street to about two hundred fifty (250) feet above the school parking area. Ms. Brindle informed Council that there are no residences within the block and the adjacent business has off-street parking. She added that the business has offered to allow parents to use their lot.

Councilman Kennedy asked how citizens will be notified about the change. Ms. Brindle responded that she is not sure how the Police Department will handle the change but added she felt someone would most likely receive a warning if they parked in the restricted area. Mayor Klutz suggested having something distributed by the school. Ms. Brindle stated that she will contact the Resource Officer in regards to the notification.

Councilman Burgin asked how the parents will pick up their children if the parking is restricted. Ms. Brindle responded that the business across the street has offered their lot for use by the parents. She added that the parking restriction will end just beyond the driveway so parents will also be able to park farther back on the street. Ms. Brindle stated that school officials are also concerned about the safety of the students as they walk in the area in front of the buses. Mr. Burgin stated that he feels Council has to help the school with their problem of getting proper access for their buses but parents will have to have a way to pick up the students. He questioned if this will be creating a bigger hazard for the students and noted he will feel more comfortable if he can hear how this will be handled. Ms. Brindle stated that she will contact the school and the Resource Officer to ensure there are other alternatives before Council approves the request.

This item was tabled until Council's next meeting in order to get a report from the school.

#### **RE-APPROVAL - MUNICIPAL MAINTENANCE AGREEMENT - TRAFFIC CONTROL DEVICES SCHEDULE C**

Ms. Wendy Brindle, Traffic Engineer, informed Council that the Municipal Maintenance Agreement for Traffic Signal Maintenance was approved at a City Council meeting held in December 2004. At that time Council adopted a resolution authorizing the Mayor and City Clerk to execute the agreement. She noted that since that time the North Carolina Department of Transportation (NCDOT) has changed their paperwork and has requested that Council re-approve the Municipal Agreement on their standard forms authorizing the City Manager and City Clerk to execute the Agreement. She

stated that this will not change the City's reimbursements or the way they are received.

Thereupon, Mr. Woodson made a **motion** to adopt a Resolution for the City Clerk and City Manager to reauthorize Schedule C for the traffic signals. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Woodson, and Ms. Klutz voted AYE. (4-0)

**A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO RE-EXECUTE AN AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION CONCERNING MAINTENANCE OF TRAFFIC CONTROL DEVICES, SCHEDULE C SIGNALS.**

(The above Resolution is recorded in full in Resolution Book No. 12, at Page No. 16, and is known as Resolution No. 2005-15.)

**REQUESTS TO CLOSE STREETS FOR BUILDING CONSTRUCTION**

Ms. Wendy Brindle, Traffic Engineer, informed Council that staff has received two (2) requests for building construction in the downtown area.

The first project is the Police Department expansion on the corner of Lee and Liberty Streets. Ms. Brindle explained that the request is to allow complete closure of Liberty Street and Lee Street in front of the property for a portion of time. The request is also to close a portion of Liberty for the duration of the steel erection and brick and concrete installation. She stated that this is anticipated to take a minimum of nine (9) months. Once construction is complete only the sidewalk and parking area would need to be closed. The request is also to have Lee Street closed for the duration of the project, which is anticipated to be one (1) year. Ms. Brindle reviewed the traffic volumes for the area and noted that during the first phase all volumes would be affected. During the second phase Liberty Street would have through movement with Lee Street detoured.

A second request was received regarding the Fire House Lofts and is a request to close the west bound lane of Fisher Street in order to place the brick façade on the building. Ms. Brindle indicated the contractor anticipates this to take approximately two (2) weeks.

Ms. Brindle stated that staff recognizes the construction is in an urban environment with a tight work space. She noted that staff will require the contractors to erect the proper signage and barricades and staff does recommend approval.

Councilman Burgin asked if the sidewalk will remain open on Liberty Street during the Police Department construction. Ms. Brindle responded that it will remain open on one (1) side, along with some type of access to the F&M Trolley Barn. Mr. Burgin asked if this area will be used for staging. Mr. John Sofley, Management Services Director, informed Council that on East Liberty Street one contractor will use one crane, while another contractor will use two (2) cranes and the only place they can be placed is in the street. He noted that as zoning changes in the downtown area to urge buildings to be built to the sidewalks more of these requests will be coming to Council.

Councilman Kennedy asked if there will be signage directing citizens how to enter the Police Department. Mr. Sofley responded that this has yet to be developed and staff is in discussions for how and where citizens will be directed.

Thereupon, Mr. Woodson made a **motion** to close East Liberty Street and North Lee Street during construction of the Police Department. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Woodson, and Ms. Klutz voted AYE. (4-0)

Thereupon, Mr. Woodson made a **motion** that to help with the construction of the Fire House Urban Lofts the street be closed for two (2) to four (4) weeks. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Woodson, and Ms. Klutz voted AYE. (4-0)

**SURPLUS SALE - PERSONAL PROPERTY**

Mr. Dewey Peck, Purchasing Manager, informed Council that the City holds a surplus auction sale annually and requested Council to adopt a Resolution to authorize the sale to be conducted.

Councilman Kennedy asked about the use of internet sales. Mr. Peck responded that some municipalities hold their auctions online but staff has decided to continue holding Salisbury's auctions within the City in order give citizens an opportunity to buy the equipment and vehicles. Mr. Jason Parks, Webmaster, noted that some items, such as vehicles, are easier to sell locally rather than trying to sell online which involves shipping.

Thereupon, Mr. Kennedy made a **motion** to approve the Resolution authorizing the sale at public auction certain surplus personal property as listed. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Woodson, and Ms. Klutz voted AYE. (4-0)

**RESOLUTION AUTHORIZING THE SALE AT PUBLIC AUCTION OF CERTAIN SURPLUS PERSONAL PROPERTY**

(The above Resolution is recorded in full in Resolution Book No. 12, at Page Nos. 17-20, and is known as Resolution No. 2005-16.)

**PARKS AND RECREATION FACILITIES - AMENDING HOURS OF OPERATION**

Ms. Gail Elder White, Parks and Recreation Director, requested Council adopt an amendment to Chapter 16 of the City Code to change the hours of operation of Park Facilities for the month of April. Currently the closing time for April is listed at 6:00 p.m., but with consideration of daylight savings time, staff would like to change the Ordinance to have the park close at 7:30 p.m.

Thereupon, Mr. Woodson made a **motion** to change the park hours in April from 6:00 p.m. to 7:30 p.m. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Woodson, and Ms. Klutz voted AYE. (4-0)

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SALISBURY, NORTH CAROLINA, BY AMENDING**

CHAPTER 16 (PARKS AND RECREATION), ARTICLE III (RULES AND REGULATIONS), SECTION 16-61 (PARK HOURS OF OPERATION) FOR THE PURPOSE OF PROVIDING ADDITIONAL OPERATING HOURS FOR PUBLIC USE.

(The above Ordinance is recorded in full in Ordinance Book No. 20, Miscellaneous, at Page No. 27, and is known as Ordinance No. 2005-24.)

**BOARDS AND COMMISSIONS**

Zoning Board of Adjustment

This item was tabled until the next Council meeting.

**REPORT ON MAYOR’S AMTRAK INTERCITY RAIL INVESTMENT TASK FORCE MEETING**

Mayor Klutz noted that she has served on the Mayor’s Amtrak Intercity Rail Investment Task Force for six (6) years because the railroad is so important to Salisbury’s history and future. She stated that she thinks Salisbury is very fortunate to be on the Amtrak line and be connected to the entire country. Mayor Klutz stated that she feels it is logical to encourage the continued federal funding and continued use of Amtrak for reasons such as economic development, environmental issues, congestion on the highways, rising gas prices and for Homeland Security. She informed Council that the Committee was alarmed by the President’s proposed budget. The President recommended zero funding in order to bankrupt Amtrak in order to turn it over to the states. She noted that there are some states that might not have the money to appropriate to it, and noted that when a state does not have enough money the governor can take money from the local governments. Mayor Klutz stated that when the North Carolina Governor took money from cities to cover the State’s budget shortfall several years ago it resulted in a loss to Salisbury of over \$2 million.

Mayor Klutz informed Council that the Mayors have written a draft resolution to be presented to the full U.S. Conference of Mayors regarding the support of Amtrak.

**COMMENTS FROM THE CITY MANAGER**

(a) Planning Board Recommendations

Council received the Planning Board recommendations and comments from their May 10, 2005 meeting.

(b) Safety Award Presentation

Mr. Richard Kelly, Risk Manager, and Ms. Kim Treece, Risk Management Assistant, presented the 2004 Safety Report to City Council.

- City Manager’s Safety Award Winners
  - Street Division of Public Services – Personal Injury winner for the eighth consecutive year
  - Transit Division of Public Services – Vehicular Safety winner for the third consecutive year

Mr. Kelly reviewed Worker’s Compensation costs noting they went from a high in 1988 of \$142,300 to \$35,349 in 2004. Other Worker’s Compensation statistics included:

<u>Year</u>	<u>Injuries</u>	<u>Lost Days</u>	<u>Cost</u>
2001	17	59	\$65,683
2002	14	91	\$109,702
2003	20	89	\$84,009
2004	27	23	\$35,349

Mr. Kelly informed Council that there were twelve (12) divisions that also went personal injury free in 2004. The divisions are:

- |                       |   |
|-----------------------|---|
| Cemetery Division     | Facilities Maintenance                      |
| Grant Creek           | Hurley Park                                 |
| Meter Services        | Parks and Recreation Administration         |
| Town Creek            | Parks and Recreation Programming            |
| Transit Division      | Parks and Recreation Facilities Maintenance |
| Utilities Engineering | Water Treatment Plant                       |

Mr. Kelly reviewed the number of vehicular accidents noting there were thirty-seven (37) in 1990; seventeen (17) in 1999; ten (10) in 2000; fourteen (14) in 2001; sixteen (16) in 2002; thirteen (13) in 2003; and eighteen (18) in 2004.

The twelve (12) divisions that were vehicular accident free in 2004 were:

- |                        |   |
|------------------------|---|
| Cemetery Division      | Environmental Services                      |
| Facilities Maintenance | Hurley Park                                 |
| Plants Maintenance     | Parks and Recreation Administration         |
| Residuals Management   | Parks and Recreation Facilities Maintenance |
| Town Creek             | Traffic Operations                          |

Mr. Kelly reviewed activity for Risk Management in 2004:

- One hundred forty-four (144) safety meetings conducted City-wide including topics on Emergency Action Plan, Bloodborne Pathogens, Hearing Conservation, Lockout/Tagout, Fall Protection, Electrical Safety, Hazard Communication, Confined Space, Complying with OSHA and Personal Protective Equipment
- Fifty-four (54) employees certified in CPR and First Aid by Fire Department staff members at Fire Station 51
- Forklift operator license – trained nineteen (19) employees
- CDL road test and training – videos, manuals and actual test given to eight (8) individuals
- Audiometric hearing test, two hundred one (201) employees tested
- Defensive driver’s training – two hundred twenty-three (223) employees trained
- Annual spirometry testing for employees who are required to don respirator – one hundred twenty-two employees tested
- Unannounced mock OSHA inspections of all areas by Jim Bernatsky, Industrial Hygienist
- Hepatitis B vaccine and antibody level checks on ninety-five (95) employees
- Renewed insurance, added, deleted, made changes to coverage, reviewed each schedule for accuracy and all property appraised
- Thirty-eight (38) Hazard Alerts issued to various departments and citizens for the abatement of hazards throughout the City

Mr. Kelly concluded by thanking Council and the Management Team for their support of the safety programs, the supervisors in all areas that promote on-the-job safety, and all City employees for making concerted efforts to be safe.

(c) Institute for Transportation Research and Education Report

Mr. Steve Weatherford, Street Maintenance Manager, reviewed the 2005 Pavement Condition Survey conducted by the Institute for Transportation Research and Education (ITRE) through North Carolina State University. He explained that representatives from ITRE conducted a visual survey of the public streets that are maintained by the City and the results are then used to determine maintenance needs and to assist in prioritizing street paving.

Mr. Weatherford reviewed a chart depicting ITRE survey findings for April 2005 in comparison with previous years. He noted that several of the streets had dropped from ‘Good’ to ‘Fair’ during the last survey.

General condition of total asphalt street system:

66.6%	10.2%	15.0%	4.4%	3.7%
(91-100)	(81-90)	(66-80)	(51-65)	(0-50)
Very Good	Good	Fair	Poor	Very Poor

Pavement condition rating – 91.80% is at a Fair to Very Good Rating and 8.10% is at a Poor to Very Poor Rating

Mr. Weatherford discussed what ITRE evaluates, noting:

- A complete inventory of paved streets with block number, length, width, type of pavement and curb and gutter information
- Pavement distress, by type and magnitude along with the Pavement Conditions Ratings (PCRs)
- The survey permits the City to use available funds more cost effectively for maintenance and resurfacing by prioritizing these activities

He noted that in addition to pavement condition, other information gathered is:

- The City-maintained street system consists of one hundred fifty-eight (158) miles of roadway (center-line miles)
- The majority of the street system (sixty-seven percent (67%) does not have sidewalks
- Nineteen (19) percent has sidewalk on both sides of the roadway
- Seven and fourth tenths (7.4) percent has sidewalk on the left side of the roadway
- Seven (7) percent has sidewalk only on the right side of the roadway
- Seventy-three (73) percent has curb and gutter on both sides of the street and four (4) percent has it on one side
- Ninety-seven and six tenths (97.6) percent has a plant mix surface, while one and one tenth (1.1) percent of the system has bituminous surface treatment

Mr. Weatherford pointed out that since the last ITRE survey in 2001, over ten (10) miles of streets have been added to the City-maintained system through annexation and state transfers.

The ITRE recommendations for Salisbury:

- Recommend fourteen (14) center-line miles for plant mix resurfacing at an estimated cost of \$880,000
- Recommend thirty-six (36) center-line miles for routine maintenance at an estimated cost of \$413,000

Mr. Weatherford noted that through the City’s vehicle tax and the Powell Bill allocation the City is now able to put money into the City’s resurfacing program to meet the recommendations.

City Manager David Treme stated that the City of Salisbury participates with approximately fifteen (15) other cities with benchmarking and in

comparing Salisbury to the other larger cities that participate in the benchmarking group, the City does fairly well. He commented that because of construction projects the perception of citizens was that the roads were not as they would like them to be, adding that the money established by Council last year will be placed back into the streets to complete the recommendations.

(d) Time Warner Announcement

Mr. Treme informed Council that Time Warner and Comcast Corporation have jointly acquired a portion of Adelphia Communications Corporation and Time Warner has indicated that this will not impact local service.

(e) 531 East Fisher Street

Mr. Treme informed Council that the property located at 531 East Fisher Street has closed and Ms. Anne Lyles has completed the purchase from the Community Development Corporation.

(f) Rockwell Utilities Report

City Manager David Treme referenced a recent story in the Salisbury Post concerning complaints from the Town of Rockwell concerning their utilities. He noted that he has made a request to attend the Town of Rockwell's Board meeting in June in order to share information and noted that staff wants to provide top quality service to the residents and customers while making improvements to the system and maintaining good customer service.

Mr. Matt Bernhardt, Assistant City Manager for Utilities, reviewed the Rockwell Water and Sewer System noting the shape of the system when Salisbury-Rowan Utilities (SRU) acquired it and improvements made since that time:

- In 1997, Salisbury-Rowan Utilities (SRU) (Then: City of Salisbury Utilities) agreed to assume the water and wastewater systems of the Town of Rockwell
- Those systems included:
  - Fourteen (14) sewer lift stations
  - Two (2) water tanks
  - Ten (10) wells
  - Several miles of water and sewer lines
- The systems also included:
  - Tremendous inflow and infiltration (I&I) problems
  - Three (3) unreported lift stations that appeared after the transfer
  - A non-compliant, well-based water system that had reached capacity (with the looming threat of a development moratorium from the State)
  - One (1) well with tetrachloroethylene (dry-cleaning fluid) contamination
  - Two (2) lift stations with no record of actual Town ownership
  - No backup (standby) generators
  - No SCADA monitoring system
  - Insufficient chlorination in well system (for disinfection and safety)
  - Chronic "blowouts" of Coley Road force main (due to inadequate materials) carrying Rockwell's and Granite Quarry's sewage to SRU's waste water treatment plant

Mr. Bernhardt reviewed what SRU has done to address these issues concerning sewer system improvements:

- Eliminated the lift stations at:
  - Peeler residence (simplex station)
  - North Side #2
  - Palmer Road
- Installed SCADA on all lift stations
- Installed backup generators at five (5) lift stations (with more to come)
- Installed generator plugs and connections at all sites along with electrical upgrades
- Purchased and stocked spare pumps for all lift stations
- Replaced:
  - Coley Road force main
  - Food Lion force main
  - Sewer line along Watkins Street
  - Broad Street sewer outfall line
  - Many sewer laterals (ex: Cannon Street, where original repair was a sixteen (16) ounce Coke bottle with two (2) radiator clamps)
- Extended:
  - Palmer Road sewer (to Rockwell Industrial Park)
- Fenced (former) Rockwell waste water treatment plant site (in partnership with the Town)
- Made significant I&I repairs to sewer system – during last major rainfall – nothing overflowed or even showed a "high-water" alarm (also avoided development moratorium from State for Rockwell's north side drainage basin)
- Other repairs and improvements to sewer system (fencing/bar screens/upsizing pumps/etc.)

Mr. Bernhard then reviewed the improvements that have been made to the water system:

- Extended twelve (12) inch water supply line from SRU System (to replace inadequate well supply and provide for Rockwell's current and



future needs and growth)

- Installed carbon filtration system on well #3 to completely filter and remove tetrachloroethylene contamination, and replaced all well pumps
- Installed proper chlorination system to insure full disinfection of well water (until supply line completion)
- Replaced:
  - Two (2) inch water line in Lentz Street
  - Water system in Food Lion Shopping Center (low water pressure to restaurants) with two (2) inch line and new meter installations
  - Two (2) inch water line along China Grove Highway from Main Street toward railroad tracks (original valve repair had been with plaster-of-paris)
  - Two (2) inch galvanized pipe (severe water quality problems) on Bost Circle and Briarcliff Road with six (6) inch PVC
  - Replaced two (2) inch water line along Fesperman Street
- Addressed and eliminated “brown water” (water quality) complaints through many of these projects
- Installed two (2) inch water line from Ashley Drive into Rockwell Park
- Extended two (2) inch water line along Holshouser Street
- Put both storage tanks on maintenance program and both have since been painted
- Conducted “closure” (permanent abandonment) of wells upon completion of new supply line

Mr. Bernhardt summarized:

- Water system is now fully compliant with all State and Federal drinking water requirements
- Sewer system is also fully compliant with all State and Federal standards
- Water system has capacity to allow Rockwell to grow that did not exist prior to the system transfer
- Fire Protection, quality, capacity and capability of water system has been improved
- Many risks and hazards have been eliminated
- All of this was achieved by SRU staff without asking for any assistance or money from Rockwell or anyone else

He reviewed the Rockwell water and sewer project noting:

- SRU staff conceived of a project to extend water main through the Town and out to the proposed elementary school site while also providing water to planned new development; sewer would be extended to development and school site
- Project involved the Town, schools, developer and SRU
- Unfortunately, the developer dropped out
- The Town wished to proceed with smaller water line project through town anyway
- However, this left school “hanging” and would wind up costing them (and county taxpayers) significantly more
- SRU asked for the Town’s patience while it tried to work with the schools to help get utilities to school site while still achieving the Town’s project
- Obviously, the Town does not agree (and it is their money)
- Rockwell’s proposed (stand-alone) water line is more expensive primarily because it is construction through a more-developed area, and because developer was carrying larger share of original project
- Fire protection in Rockwell is better currently than it was while previously on wells; while new line would improve it even more, SRU felt that there was no reason to not wait on the school’s investigation of their options.

Mr. Bernhardt reiterated key points:

- SRU has never been “condescending” or “patronizing” towards the Town
- The Town of Rockwell is under no obligation to fund anything that it does not wish to
- SRU believes that the new east elementary school is important to our customers in the Rockwell area (and their children)
- SRU believes that no more money than necessary should be spent on water/sewer infrastructure for schools, as it takes away from other critical needs. Helping the schools get water/sewer allows them to avoid higher long-term operation and maintenance costs
- Confirmation: Mr. Jim Christy, Assistant Superintendent for Support Services of the Rowan-Salisbury Schools informed Council that SRU has been very beneficial for the School System in regards to project planning. He stated that the School System does not want to open schools that are not on municipal water if at all possible. He thanked SRU staff for working diligently to try to keep project costs down.
- Conclusion: SRU has been, is, and will continue to be working for the best benefit to the customers that we serve – including those in Rockwell

Mr. Bernhardt noted that SRU funds projects based on payback ability and SRU puts into a project what it expects to receive in return based on payback. He stated that this creates situations where other units of government have desires to complete projects but the projects may not achieve payback for SRU. He stated that he and Mr. Treme will be attending the Town of Rockwell’s meeting in June and he will take with him a draft agreement for a single project as the Town of Rockwell has indicated is their desire. He added that it is not SRU’s intent to do anything less than what the Town of Rockwell wishes to do with its dollars.

Mayor Klutz thanked Mr. Bernhardt for his report and thanked Mr. Christy for his attendance. She noted that it is important to Council to maintain good customer service.

City Manager David Tremé stated that staff will do its very best to provide the best service possible to SRU customers in the Rockwell area and to all client communities. He noted that staff wants to provide outstanding service, to improve the system, and to be cooperative. He added that the interest of the customer is the top priority and if a client community like Rockwell is unhappy then SRU is unhappy and staff will do what is possible to serve the community.

**MAYOR'S ANNOUNCEMENTS**

(a) Fellowship Luncheon - Rowan County Board of Commissioners

Mayor Kluttz announced that a fellowship luncheon will be held with the Rowan County Board of Commissioners May 19, 2005 at 12:00 noon in City Council Chambers at City Hall.

(b) Community Covenant Connection

Mayor Kluttz announced that the Community Covenant Connection will hold a "Let's Get Connected Day" Circle of Prayer May 21, 2005 at 12:00 noon at Salisbury City Park.

(c) Budget Work Session

Mayor Kluttz announced City Council will hold a Budget Work Session May 24, 2005 at 11:00 a.m. in Council Chambers City Hall.

(d) Salisbury Community Development Corporation

Mayor Kluttz announced that the Salisbury Community Development Corporation will hold an open house for the West End neighborhood in the 800 Block of West Fisher Street Thursday, May 26, 2005 at 4:00 p.m.

(e) Other Announcements

Mayor Pro Tem Woodson stated that he had been approached by citizens concerning the intersection at Henderson Street and Confederate Avenue, noting traffic was at its worst from 8:00 a.m. – 9:00 a.m. and 3:00 p.m. – 5:00 p.m. He asked staff to review to see what assistance can be offered.

**RECESS**

**Motion** to recess the meeting until Tuesday, May 24, 2005 at 11:00 a.m. at City Hall was made by Mr. Burgin, seconded by Mr. Woodson. All council members agreed unanimously to recess the meeting. The meeting was recessed at 6:20 p.m.

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Mayor

\_\_\_\_\_  
City Clerk