

Salisbury, North Carolina  
April 1, 2008

## **REGULAR MEETING**

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

## **RECOGNITION OF VISITORS**

Mayor Kluttz recognized all visitors present.

## **RECOGNITION – WILL MOWERY SALISBURY HIGH SCHOOL**

This item was postponed.

## **846<sup>TH</sup> TRANSPORTATION DIVISION – ARMY RESERVES FAREWELL**

Mayor Kluttz stated that the 846<sup>th</sup> Transportation Division of the U.S. Army Reserves based in Salisbury departed this morning for a tour in Iraq. She noted that a farewell luncheon was held for the troops on Monday, March 31, 2008 and she thanked the Salisbury Fire Department for participating. She also thanked Food Lion, Inc. who supplied lunch for those attending. She asked the community to continue to keep this group in their thoughts and prayers as they leave to serve and protect.

## **RECOGNITION OF 2007-2008 CITY RETIREES AND EMPLOYEES**

Mayor Kluttz indicated that Council is pleased to honor retirees and employees who have reached milestones in their years of service to the community. A reception honoring the retirees and employees was held prior to the Council meeting.

Mr. Joe Eagle, Interim Human Resources Director, introduced the following employees who have retired since 2007:

Mr. Jerry Pickler	Mr. Floyd Rusher, Jr.
Mr. Paul Rendleman	Mr. James Griffin
Mr. Garry Mills	

Mr. Eagle then recognized employees with five (5), ten (10), fifteen (15), twenty (20), twenty-five (25) and thirty (30) years of service:

### 30 Years of Service

Richard Kelly	Judy Jordan
Horace Cross	

### 25 Years of Service

John Everhart	Jeff Youngblood
Ann Campbell	Gary Mowery
Phillip Simmons	Steve Whitley

### 20 Years of Service

David Phillips	John Sofley
Rick Barkley	Chris Kepley
Mark Thompson	Brad White
Joe Morris	Jamie Hoffner
Grady Driver	Greg Pannell
Ronald Foster	Jerry Greene

### 15 Years of Service

David Morris	Chris Smith
Michael Dummett	Brad Jordan
William Torrence	

10 Years of Service

Kim Treece  
Robert Watson  
Glenn Ford  
Steve Clark  
Mike West

Michael Morgan  
Robert Efir  
Jeffrey Emerson  
Mark Landreth  
James Barringer

5 Years of Service

Ron Paxton  
Robert Jarvis  
Chad Walker  
Calvin Overstreet  
Kareem Puranda  
Brad Gorman  
Alan Fowler

Evans Ballard  
Matt Lowman  
Michael Hoosier  
Michael Dhooghe  
Lee Walker  
Talita McCain

Mayor Kluttz congratulated the employees and expressed her pride and appreciation for their service to the City.

**RECOGNITION OF RECENT PROMOTIONS IN THE POLICE DEPARTMENT**

Police Chief Mark Wilhelm indicated that as the result of a recent assessment, several promotions have been made at the Police Department. He recognized the following for their promotions:

Deputy Chief Rory Collins, promoted from Lieutenant  
Lieutenant Rodney Harris, promoted from Sergeant  
Sergeant J.J. Wilkerson, promoted from Master Police Officer

Mayor Kluttz expressed Council's excitement and congratulated Deputy Chief Collins, Lieutenant Harris and Sergeant Wilkerson for their promotions.

**PROCLAMATION**

Mayor Kluttz proclaimed the following observance:

ARBOR DAY

April 13, 2008

**CONSENT AGENDA**

(a) Approval of Minutes

Approve Minutes of the Regular meeting of March 18, 2008.

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

### **ZONING MAP AMENDMENT CD-2-01-2008 DAVID AND PHYLLIS MULLIS**

(a) Mr. Preston Mitchell, Senior Planner, addressed Council regarding CD-2-01-2008 for David Mullis, 303 and 309 West Council Street. He explained the requirements for a Conditional District (CD) Overlay and noted that it does not change the base district zoning, but is an Overlay on top of the base zoning. He stated that the petitioner for all CDs must be the owner of the property and the content of the petition must include a rezoning petition and a master plan. Mr. Mitchell noted that all of these requirements were met with the proposed CD. He explained that as part of the process, fair and reasonable conditions can be placed on the CD Overlay when the property is rezoned. He noted that changes can occur to CDs but once it is adopted it is on the property forever or until formally removed.

Mr. Mitchell stated that the request before Council is to subdivide one (1) lot that has two (2) homes into two (2) lots using an alternate lot depth in the Residential Mixed Use (RMX) district. He noted that the lot depth requirement in RMX is one hundred (100) feet deep. He pointed out that because of the location of adjacent properties the owner is unable to meet the one hundred (100) foot minimum. He stated that the CD allows the petitioner the ability to choose their own setbacks and lot dimensions and in this case the request is to reduce the one hundred (100) foot minimum requirement.

Mr. Mitchell displayed aerial photographs of the lot with the two (2) homes and noted it is located at the corner of Council Street and Jackson Street. He noted that the property is located in the Downtown Historic Overlay and he pointed out the zoning for properties in the area. Mr. Mitchell also reviewed the topography for the site and the existing utilities. He displayed ground photographs of the property showing both homes on the lot and where the property line will be added if the CD is approved.

Mr. Mitchell reviewed the alternative designs available for CDs:

- Industrial Standards of Chapter 2
- Building Orientation to Street/Recreational Open Space
- Building Materials
- Building Design Standards
- Building Dimensional Standards
- Street Cross Sections
- Street Connectivity and Stub Standards
- Parking
- Private Lighting

He stated that the proposed plan proposes an alternative under the Building Dimensional Standards.

Mr. Mitchell indicated that if adopted, the Ordinance and the Land Development Ordinance will become the guiding development documents for this property. He pointed out that the CD runs with the land and not the owner. He informed Council that the Planning Board voted unanimously to recommend consistency with the Comprehensive Plan and unconditioned approval.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, to receive comments on proposed map amendment CD-2-01-2008.

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

Councilman Lewis commented that with two (2) houses on one (1) parcel the owner is unable to sell one of the houses without selling the entire parcel. He added that banks see the buildings as two (2) detached buildings and the owner is not able to obtain thirty (30) year conventional fixed rates. He noted that this has been a challenge for the owners for a number of years. Mr. Lewis stated he thinks this change makes sense and is consistent with the Comprehensive Plan.

Councilman Burgin stated that this illustrates the flexibility offered by the new Code for unique situations.

(c) Councilman Burgin stated that the City Council hereby finds and determines that adoption of an ordinance to rezone the property described herein to establish a Conditional District Overlay on RMX base district is consistent with the goals, objectives, and policies of the Comprehensive Plan and that adoption of the ordinance is reasonable and in the public interest. Thereupon, Mr. Burgin made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina, by rezoning approximately 0.3 acres, identified as tax map and parcel 010-103, to establish a Conditional District Overlay on RMX Residential Mixed-Use base district to permit the subdivision of the parcel into two parcels; indentifying the development documents; providing an effective date of today; and for other purposes. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING APPROXIMATELY 0.3 ACRES IDENTIFIED AS TAX MAP AND PARCEL 101-103, TO ESTABLISH A CONDITIONAL DISTRICT OVERLAY ON RMX (RESIDENTIAL MIXED-USE) BASE DISTRICT TO PERMIT THE SUBDIVISION OF THE PARCEL INTO TWO PARCELS; IDENTIFYING THE DEVELOPMENT DOCUMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(The above Ordinance is recorded in full in Ordinance Book Nos. 22 at Page No. 22-24, and is known as Ordinance No. 2008-14.)

**ZONING MAP AMENDMENT CD-07-02-2008 REV. PETER JUGIS, ROMAN CATHOLIC DIOCESES OF CHARLOTTE**

(a) Mr. Preston Mitchell, Senior Planner, addressed Council regarding CD-07-02-2008 for Reverend Peter Jugis, Roman Catholic Dioceses of Charlotte, for property located on North Jake Alexander Boulevard. He noted that the request is to: subdivide two (2) parcels into five (5) parcels; change from one (1) base district of General Residential (GR-6) to multiple base districts of Institutional Campus (IC), G-6, and Neighborhood Mixed-Use (NMX); build a forty-seven thousand six hundred twenty-seven (47,627) square foot church, school and parish hall on phase 1, parcel 1; construct a public street and other infrastructure leading to the church site; and improve North Jake Alexander Boulevard right-of-way for decel and left turn into the site. He added that the petitioner is also requesting payment in-lieu of sidewalk for the Jake Alexander Boulevard portion of the property.

Mr. Mitchell displayed a colored rendering and master plan for the proposed site. He noted that parcel 1 will be zoned Institutional Campus (IC). Parcels 2 and 3 will remain General Residential (GR-6) and Mr. Mitchell noted that this zoning could potentially allow for the construction of two hundred forty-five (245) units. He pointed out that if the plan is adopted it will not allow for the development of two hundred forty-five (245) units, but the developer would have to bring the plan back and show streets, development, parking, and buildings to have the plan amended. He stated that parcel 4 and 5 will be zoned Neighborhood Mixed-Use (NMX) and is located adjacent to Jake Alexander Boulevard. Mr. Mitchell pointed out that phase 1, parcel 1 is the only part of the plan being requested for development approval at this time.

Mr. Mitchell reviewed the payment in-lieu for the sidewalk:

- Four hundred sixty-five (465) linear feet in North Jake Alexander Boulevard right-of-way
- Per the Land Development Ordinance, current average sidewalk cost per linear foot per Engineering is \$20/foot
- 465 feet x \$20/foot equals \$9,300 payment in-lieu
- Proposed condition requires payment submittal by October 1, 2009
  - Correlates with 2010 Congestion Mitigation Air Quality (CMAQ) Federal funds
- Funds to be spent within Pedestrian Benefit Zone 7

Mr. Mitchell reviewed photographs of the site and the surrounding area. He noted that the site is currently zoned GR-6 and is adjacent to GR-6 and Rural Residential (RR), with some Urban Residential (UR) adjacent to Jake Alexander Boulevard. He referred to

topographic maps and utilities in the area and stated that 2006 traffic counts indicated seven thousand four hundred (7,400) vehicles per day travel on Jake Alexander Boulevard.

Mr. Mitchell reviewed the alternative designs available for the Conditional District and noted that the plan proposes an alternative for Building Orientation to Street/Recreational Open Space. He explained that the church, school and parish hall are located deep into the site and will be developed in a campus style fashion. The church will face east to west and the public street does not extend all the way into phase 1, parcel 1. He stated that the plan also proposes an alternative design to Building Design Standards regarding setbacks for secondary buildings. He noted that the Code requires all secondary buildings to be located behind the front façade but the plan has the parish hall located to the side of the church. He stated that with this campus style plan, the alternative design is requested.

Mr. Mitchell stated that the plan proposes amended versions of the local and rural road types which will be alternatives to the Street Cross Sections. It also proposes alternatives to Street Connectivity and Stub Standards but the developer has agreed to add a statement to the CD that future connections to the west side of the site will be made when that particular phase is developed.

Mr. Mitchell indicated that the Planning Board recommends consistency with the Comprehensive Plan and approval with conditions which state:

1. That the future right-of-way width of North Jake Alexander Boulevard be measured as a one hundred twenty (120) foot, four (4) lane divided highway instead of two hundred twenty-eight (228) feet.
2. That a street stub connection be provided to the west property line of parcel 3 (phase 4) when the CD is amended to propose a development plan for parcel 3 (phase 4).
3. That the “allowed units” note in the GR-6 area be removed from the plan.
4. That private lighting would have to meet the requirements of the Land Development Ordinance but if an alternative is proposed, it would need to be presented to City Council and not return to the Planning Board.

Councilman Kennedy asked to clarify that the developer will be required to construct sidewalks on the property but instead of doing so, they will be allowed to pay \$9,300, which can then be used to construct sidewalks somewhere else in the zone. Mr. Mitchell responded that this is correct and noted that sidewalks will be installed along both sides of the new street to be constructed into the site, but they are requesting payment in-lieu for the sidewalks required for the Jake Alexander Boulevard portion of the site. He added that the North Carolina Department of Transportation (NCDOT) will widen Jake Alexander Boulevard in the future and to place sidewalks in the right-of-way now could be problematic.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, to receive comments on proposed map amendment CD-7-02-2008.

Mr. Gray Stout, 5 Acorn Lane, stated that he is the architect for this project as well as a parishioner at Sacred Heart Church. He noted that the church has been developing this project for fifteen (15) years and requested Council's approval for the plan. He stated that the Land Development Ordinance was a wonderful tool during the process of designing the site to create a good long range plan. He commented that he feels this will create a livable, smart growth design for the future as the site builds out.

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

Councilman Kennedy stated he is happy to see the church moving forward with this development and fully supports the plan. Mayor Kluttz added that she is excited to see the new Land Development Ordinance in action.

(c) Mayor Pro Tem Woodson stated that the City Council hereby finds and determines that adoption of an ordinance to rezone the property described herein from GR-6 base district to IC, GR-6, and NMX base districts with a Conditional District Overlay is consistent with the goals, objectives, and policies of the Comprehensive Plan and that adoption of the ordinance is reasonable and in the public interest. Therefore, Mr. Woodson made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina by rezoning approximately 107.5 acres, identified as tax map and parcels 327-0010000001 and 326-239, from GR-6 General Residential base district to IC Institutional Campus, GR-6 General Residential, and NMX Neighborhood Mixed-Use base districts with a Conditional District Overlay to permit the development of a 47,627 square foot church, school, and parish hall on parcel 1, phase 1, of the Conditional District; identifying the development documents and development conditions; providing an effective date; and for other purposes of April 1, 2008. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING APPROXIMATELY 107.5 ACRES, IDENTIFIED AS TAX MAP & PARCELS 327-0010000001 AND 326-239, FROM GR-6 (GENERAL RESIDENTIAL) BASE DISTRICT TO IC (INSTITUTIONAL CAMPUS), GR-6 (GENERAL RESIDENTIAL), AND NMX (NEIGHBORHOOD MIXED-USE) BASE DISTRICTS WITH A CONDITIONAL DISTRICT OVERLAY TO PERMIT THE DEVELOPMENT OF A 47,627 SQUARE FOOT CHURCH, SCHOOL, AND PARISH HALL ON PARCEL 1, PHASE 1 OF THE CONDITIONAL DISTRICT; IDENTIFYING THE DEVELOPMENT DOCUMENTS AND DEVELOPMENT CONDITIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.



(The above Ordinance is recorded in full in Ordinance Book No. 22 at Page Nos. 25-27, and is known as Ordinance No. 2008-15.)

### **2008-2009 BUDGET REQUEST FROM SALISBURY-ROWAN EDC**

Mr. Robert Van Geons, Executive Director of the Salisbury-Rowan Economic Development Commission (EDC) addressed Council regarding the EDC budget request for FY2008-2009. He referred to “balanced scorecard” and noted it is a new tool being used by the EDC. He noted highlights of their efforts to support retention and expansion of existing industry and direct engagement of the regional and super-regional real estate community. Mr. Van Geons stated that the EDC will be more proactive in speaking with all of the municipalities in Rowan County and all of the EDC stakeholders. He commented that he invites public input as part of the EDC’s performance matrix during the coming year. He stated that the EDC will be involved with targeted trade shows and will visit those gatekeepers that lead companies to their final relocation decision.

Mr. Van Geons stated that the EDC looks forward to working with the Rowan Jobs Initiative in new and expanded ways and hopes to advance and improve relations with the North Carolina Department of Commerce. He noted that the EDC will also embark on new site specific marketing to bring new opportunities to the market place. He stated that they hope to develop new multimedia materials to share the good news about the Salisbury-Rowan area.

Mr. Van Geons indicated that the EDC does not seek an increase in funding but requests the same amount as the previous two (2) years of \$69,428. He added that they do not anticipate requesting an increase next year unless they are requested to take on new activities.

Councilman Kennedy commented that this is the most detailed request he has seen from the EDC and thanked Mr. Van Geons for the information.

Mayor Kluttz thanked Mr. Van Geons for all that he and the EDC do for Salisbury.

### **2008-2009 BUDGET REQUEST FROM DOWNTOWN SALISBURY, INC.**

Mr. Dick Huffman, President of Downtown Salisbury, Inc. (DSI), and Mr. Randy Hemann, DSI Executive Director, presented the DSI budget request for FY2008-2009 to Council. Mr. Huffman reviewed statistical information with Council:

- Over \$97 million in investment (\$37+ since 2001)
- Net gain of nine hundred forty-three (943) jobs
- Two hundred eighty-eight (288) Building Renovations

Mr. Huffman noted that the Municipal Service District Tax is \$0.16 per \$100 and reviewed the Municipal Service District tax base increase:

- 1989 Value = \$31.5 million
- 1995 Value = \$45.5 million
- 2007 Value = \$72 million

Mr. Huffman stated that the FY2008-2009 Budget request focuses on the following areas:

- Empire Hotel Redevelopment
- Master Plan Update
- Streetscape Improvements
- Conference/Performing Arts Center
- Diversify funding sources
- Entertainment District
- Retail Mix Plan

Mr. Huffman reviewed some of the projects undertaken during the last year:

- Railwalk – Ketner’s development in the 300 block of South Lee under construction
- Six (6) new businesses opened in 2006-2007
- Three (3) business expansions
- Meroney Theater/Piedmont Players Fisher Street Theater
- Yadkin Place – Summit Construction/Jake Alexander
- McNeely Young Building, 102 South Main Street
- 209 South Lee Street – Lanier-Boger-Weant Rental House, circa 1901
- 213 South Lee Street – Lanier-Rufty Rental House, circa 1900
- Empire Hotel Project

Mr. Huffman noted DSI activity last year and needs for FY2008-2009:

- Last year increased staff from two and one half (2.5) to three (3) full time employees
- Increased Revolving Fund Activity
- Promotions activity remained constant
- Needs:
  - Staff Development
  - Continued Focus on Revolving Fund
  - Website Development/Maintenance
  - Community Promotion

Mr. Huffman indicated that the DSI budget is approximately \$260,000 and noted that it is comprised fund received from:

- MSD Tax 48%
- City Appropriation 35%
- Plaza Management 6%
- Private/Miscellaneous 11%

He then reviewed a comparison of funding for other communities Downtown programs:

<u>Community</u>	<u>City</u>	<u>Private</u>	<u>MSD</u>	<u>Total</u>
Goldsboro	\$291,358	\$46,000	\$71,000	\$408,358
Lenoir	\$99,200	\$0	\$50,400	\$149,600
Lincolnton	\$199,900	\$75,000	\$0	\$286,900
Morganton	\$410,722	\$0	\$68,000	\$478,722
Rocky Mount	\$135,115	\$10,000	\$0	\$148,615
Sanford	\$150,000	\$7,971	\$50,000	\$207,971
Wake Forest	\$108,500	\$30,000	\$77,000	\$215,500
Salisbury	\$90,000	\$30,000	\$125,350	\$260,350

Mr. Huffman indicated that the allocation for Downtown Salisbury, Inc. has remained at \$90,000 for the past three (3) years and requested an increase of \$8,500 for FY2008-2009 for a total of \$98,500.

Mayor Kluttz thanked Mr. Huffman and Mr. Hemann for all that they do for the City of Salisbury.

**PRESENTATION FROM “SPECIAL COMMUNITY EFFORTS GROUPS”**

Mayor Kluttz opened the floor to receive comments from special community efforts groups.

Mr. Ed Norvell, Immediate Past President and President Paul Brown, Rowan Museum, stated that the Museum has served the community for fifty-five (55) years preserving and protecting the historic assets of Salisbury and Rowan County. He noted that the Museum raised \$650,000 to install an elevator in the Rowan Museum located on Main Street to supplement their income by renting out the second floor. Mr. Norvell stated that the Museum has an annual budget of \$183,000 but due to changes in policies by Rowan County the Museum will lose approximately \$25,000 in revenue. He asked that Council consider an increased appropriation to the Rowan Museum.

Mr. Brian Moye, Students in Training, stated that Students in Training accepts old and unwanted computers and uses them as learning tools to teach students how to rebuild them. The rebuilt computers are donated to members of the community who would otherwise not have access to a computer. He noted that over the years the students have donated approximately one thousand (1,000) personal computers to the community and there are currently fifty (50) active students in the program. Mr. Moye stated that

Students in Training is requesting \$12,500 for the Computers in Community Program and \$5,000 for the Computer Recycling Program for total request of \$17,500.

Mr. Brian Moody, Rowan County Council of the Blind, stated that the Rowan County Council of the Blind would like to request a budget increase for transportation to provide Americans with Disabilities Act (ADA) paratransit transportation to the handicapped, blind and visually impaired individuals who live outside the three quarter mile buffer required by the federal government. He explained that these citizens live within the City limits but do not qualify for ADA transportation. Mr. Moody requested that the City provide the funds to expand the ADA paratransit transportation service to include all areas within the City limits to enable the disabled citizens of Salisbury to benefit from the program.

Ms. Eleanor Qadirah, Rowan Blues and Jazz Society, presented a presentation depicting photographs from the 2007 Rowan Blues and Jazz Festival. Ms. Qadirah concluded by requesting 2008-2009 funds for the Rowan Blues and Jazz Society.

Mr. Michael King, Emmanuel Youth Assembly, provided Council with literature regarding the Emmanuel Youth Assembly and requested \$1,125 in funding for the Learn To Live Youth Camp Program. Mr. King reviewed the variety of items covered in the program and noted that the concentration this year has been on peer group modeling.

Ms. Marietta Smith, Executive Director of Rowan Arts Council, stated that the Rowan Arts Council appreciates the City's financial support in the past and noted that the funds have been used by many local groups. Ms. Smith stated that the Rowan Arts Council has relocated from downtown Spencer to Lee Street in Salisbury in order to provide citizens a place to feel welcome to gather and to provide a larger location for their exhibits. She pointed out that the Board has a very positive attitude with a motto of "We're just the team to do it" and she hopes that Council will give them that chance.

There being no one else to address Council, Mayor Kluttz closed the floor for comments.

## **SECOND READING – FY2008-2009 BUDGET FOR CDBG AND HOME FUNDS**

Ms. Janet Gapen, Senior Planner, presented the FY2008-2009 budget for Community Development Block Grant (CDBG) and HOME funds for its first reading. She stated that the draft budget for the CDBG and HOME Programs was based on the priorities of the consolidated plan; input received at a public hearing held March 4, 2008; and applications for funding received from public service agencies.

Ms. Gapen reviewed the 2008-2009 draft budget for the CDBG and HOME programs:

**Sources of Income**

• CDBG	\$ 305,040.00	
• Program Income	60,000.00	
• HOME	<u>118,255.00</u>	
Total	\$ 483,295.00	

**CDBG Program**

• <u>Project Activities</u>		
○ Acquisition/Rehab/Resale	\$ 118,268.40	
○ Owner-Occupied Rehab	\$ 50,000.00	
○ Emergency Rehabilitation	\$ 15,000.00	\$183,268.40
• <u>Public Services – 15% cap</u>		
○ Rowan Helping Ministries	\$ 22,500.00	
○ Family Crisis Council	\$ 14,000.00	
○ Community Care Clinic	\$ 10,000.00	
○ Salisbury Youth Employment	\$ 6,500.00	
○ West End Youth Garden	\$ 1,500.00	\$ 54,500.00
• Program Administrator – 20% cap		\$ 73,000.00
• Debt Service – Section 108 Loan		<u>\$ 54,271.60</u>
<b>Total CDBG Funds</b>		<b>\$ 365,040.00</b>

**HOME PROGRAM**

• <u>Project Activities:</u>		
○ New Construction	\$ 91,561.00	
○ Homeownership Assist.	\$ 20,000.00	\$ 111,561.00
• Program Administration		<u>\$ 6,694.00</u>
Total HOME Funds		\$ 118,255.00
Total CDBG Funds		\$ 365,040.00
<b>Total CDBG and HOME Funds</b>		<b>\$ 483,295.00</b>

Ms. Gapen reviewed the budget comparison from fiscal year 2007-08 to 2008-09:

	Budget <u>FY 07-08</u>	Budget <u>FY 08-09</u>	Increase/ <u>Decrease</u>
• CDBG	402,526	365,040	- 9%
• HOME Funds	123,890	118,255	- 5%

- Sources of Income –
  - CDBG 327,526 305,040 - 7%
  - Program Income 75,000 60,000 -20%
  - HOME 123,890 118,255 - 5%

**Total C. D. Funds 526,416 483,295 - 8%**

Ms. Gapen reviewed the citizen participation plan for 2008-09:

- February 5 Public Hearing – West End Community Center
- February 12 Public Hearing – Park Avenue Community Center
- March 4 Public Hearing – City Council Chamber
- March 8 City Council – Draft 2008-09 Budget
- April 1 City Council – second reading of budget
- April 6 Action Plan available for public review
- May 12 Submit plan to HUD

Thereupon, Mr. Kennedy made a **motion** to approve the second reading of the 2008-2009 budget for the Community Development Block Grant and HOME program funds. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

**PETITION TO RESTRICT PARKING – 100 BLOCK OF WEST FISHER STREET**

Ms. Wendy Brindle, Traffic Engineer, stated that First United Methodist Church submitted a site plan for consideration by the Historic Preservation Commission (HPC) and the Technical Review Committee (TRC). She explained that part of the site plan includes a request to remove six (6) parking spaces along the south side of the 100 block of West Fisher Street to allow a circular drive with a covered entrance to be constructed. She noted that the parking removal requires City Council approval.

Ms. Brindle reviewed the site plan depicting the circular drive and an aerial photograph of the site. She pointed out that there are nine (9) properties along the block and that First United Methodist Church submitted a petition with seven (7) signatures of support from those properties. She noted that there are three (3) businesses currently in operation along the street and that First United Methodist Church has received signatures of support from these three (3) businesses. Ms. Brindle stated prior to the HPC and TRC meetings Council needs to rule on the removal of the six (6) parking spaces.

Councilman Lewis asked Mr. Randy Hemann, Executive Director of Downtown Salisbury, Inc. (DSI), to address this subject. Mr. Hemann stated that the DSI Parking Committee has not discussed the request, but he feels if First United Methodist Church has the support of the area businesses, DSI would also support the request. He pointed

out that in the last year, ten (10) parking spaces have been added on the other side of the street.

Thereupon, Mr. Lewis made a **motion** to adopt an Ordinance amending section 13-338, Article X, Chapter 13, of the Code of the City of Salisbury, relating to parking prohibited at all times. Mr. Woodson seconded the motion.

Councilman Burgin asked if parking on the street between the semi-circle drive could be permitted during the week. Ms. Brindle stated that it is possible if it complies with the City Code which states that cars are not allowed to park within five (5) feet of a driveway entrance. She added that she has not measured, but according to the site plan there appears to be space to allow two (2) parking spaces.

Mr. Dave Collins, First United Methodist Church, stated that to allow the parking during the week would not be a problem for the church and that they would welcome the two (2) extra spaces. Mr. Burgin requested that the motion be amended so that parking would be allowed on the street between the circular drive if it can determine that the spaces meet the requirements of the Ordinance.

Ms. Brindle stated that Council's approval is needed in order for the site plan to proceed to the HPC and TRC. She noted that if the HPC and TRC are aware that Council is willing to approve the removal of parking for the circular driveway, staff can present a revised Ordinance reflecting the two (2) spaces to Council at a later date. No action was taken on the motion. By Consensus, Council agreed that they will approve the circular driveway but also want to preserve as many legal parking spaces as possible.

### **REPORT ON PEARL STREET RAILROAD CROSSING**

Ms. Wendy Brindle, Traffic Engineer, stated that the City has received a request from the North Carolina Department of Transportation Rails Division (NCDOT) to either close or signalize the Pearl Street at-grade railroad crossing. She displayed an aerial photograph and noted that Pearl Street is located off of Morlan Park Road. She pointed out that staff contacted NCDOT to see if they would offer the option of signalizing the three (3) crossings at Pearl Street, Tower Street and Davis Street and was told that current NCDOT funding would not allow that option. Ms. Brindle indicated that based on previous studies in the area, staff found that there is low train volume; low train speeds; and the neighborhood wishes to keep all three (3) crossings open. She stated that staff recommends leaving the crossing open and unchanged.

By consensus, Council agreed to leave the crossing unchanged.

## **TAXICAB FRANCHISE – MRS. ROSETTA NANCE SAFETY TAXI COMPANY**

Lt. Rodney Harris, Salisbury Police Department, stated that Mrs. Rosetta Nance has requested a Taxi Franchise and has completed an application with the Salisbury Police Department. Lt. Harris explained that Ms. Nance's deceased father was a partial owner of Safety Taxi and left his portion of the business to her. He noted that Ms. Nance is still required to apply for a taxi franchise permit. He stated that he conducted a background check on Ms. Nance and it was clear. Lt. Harris indicated that the vehicle, a 1998 Plymouth Voyager, has been inspected and meets criteria.

Thereupon, Mr. Kennedy made a **motion** to approve a taxicab franchise for Mrs. Rosetta Nance to operate a taxicab under the umbrella of Safety Taxi Company. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

## **IMPLEMENT FIBER TO THE HOME AS A NEW CITY UTILITY**

Councilman Burgin stated that at the March 18, 2008 Council meeting, Council agreed that it would be advantageous to visit a municipality that is in the process of installing Fiber To The Home. He noted that on Monday, March 31, 2008 four (4) members of Council visited Wilson, North Carolina and observed their utility which is almost ready to be launched. He added that they saw their infrastructure and asked questions of their city officials relative to issues pertaining to service to clients, obstacles, challenges and what goals they are expecting to reach. Mr. Burgin pointed out that he thought this was a good meeting and that those who attended feel satisfied that the goals Salisbury would like to reach are the same goals that Wilson has been reviewing and are close to achieving.

Mr. Burgin referred to a statement made by Wilson's City Manager who said that if Salisbury waits to be totally comfortable with a system it will probably be too late. He indicated that this will be a big venture in providing a new utility but will help define Salisbury. He is confident that staff will put together a successful package without using tax dollars.

Councilman Kennedy stated that the citizens of Wilson are receiving lower rates and the other providers are now lowering their rates. He indicated that he would like to see this happen for the citizens of Salisbury. He pointed out that the Fiber To The Home customer service will be provided by the City which will also be a benefit for the citizens of Salisbury.

Mayor Pro Tem Woodson stated that he was very impressed with what the City of Wilson is doing and thinks that it is time for Salisbury to make this move forward to the future.



Councilman Lewis indicated that he enjoyed meeting with the Wilson City Manager and staff to discuss the process from the beginning to the end. He noted that he thinks Salisbury will exceed the twenty-eight (28) percent take rate in the proposed business model. He pointed out that this is a bold move and is as bold as when the railroad was brought to Salisbury, but he feels it is an important move for the community

Mr. Woodson stated that he believes that if the City can provide the service it will be a tremendously successful product.

Mr. Burgin stated that it is also an item of timing. He noted that the area south of Salisbury and the evolution of the biotech center and stated that employees of the facility will want fast internet connections and services that can be provided by Fiber To The Home. He stated that he feels this system will enhance the City and make it more desirable.

Mayor Kluttz stated that she was unable to travel to Wilson due to a prior commitment to the 846<sup>th</sup> Army Reserve farewell event, but received a full report that answered Council's questions. She indicated that she feels this is a wonderful opportunity that will benefit the citizens of Salisbury. She noted that this will give Salisbury the ability to offer lower rates to the citizens and will hold Council accountable for those rates.

Thereupon, Mr. Kennedy made a **motion** to approve implementation of Fiber To The Home as a new City utility and authorize staff to take necessary steps required for a Fiber To The Home municipal utility. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

Mr. Burgin suggested that Council members be assigned to work with staff on the project and bring questions back to the full Council as appropriate. Mr. Lewis and Mr. Kennedy volunteered to work with the Fiber To The Home Committee and staff. Mr. Burgin offered his architectural skills, if needed, during the construction of the utility.

### **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS**

Appointments were postponed until Council's April 15, 2008 meeting.

Councilman Kennedy stated that the Planning Board has a vacancy but suggested that an appointment be postponed for ninety (90) days until after the potential annexation.

## **COMMENTS FROM THE CITY MANAGER**

### (a) Police Department Accreditation

City Manager David Treme stated that the City has become one of the flagship agencies in the country in terms of accreditations. He noted that Police Lt. Trevor Allen was assigned the responsibility of re-accreditation of the Police Department and commended Lt. Allen for his work on the re-accreditation. He announced that unfortunately Lt. Allen has accepted an out-of-state position and has tendered his resignation effective April 11, 2008. Mr. Treme asked Police Chief Mark Wilhelm and Lt. Trevor Allen to share the re-accreditation process with Council.

Lt. Allen stated that the accreditation process has been on-going in the Police Department for a number of years. He pointed out that this is the sixth year the department has received accreditation and this year it was received with a meritorious award. He explained that the Commission on Accreditation for Law Enforcement Agencies is a body that imposes four hundred fifty-nine (459) standards for law enforcement agencies of similar size to Salisbury. He indicated that the Salisbury Police Department will continue to adhere to these standards.

Mayor Kluttz stated that she is disappointed to hear that Lt. Allen is leaving the Police Department and commended him for the outstanding job he has done for the City. She also commended the Police Department for the incredible job they have done during the month of March with the influx of people in Salisbury for the Fire Department memorial and the visits from actors George Clooney and Renee Zellweger, and former President Bill Clinton.

## **MAYOR'S ANNOUNCEMENTS**

### (a) Spring Spruce Up Week

Mayor Kluttz announced that the Community Appearance Commission and the Public Services Department will hold their Spring Spruce Up Week April 14-18, 2008.

### (b) Special Meeting – Annexation

Mayor Kluttz announced that a Special meeting of City Council will be held April 8, 2008 at 4:00 p.m. at City Hall Council Chambers regarding annexation of the Mooresville Highway area. She pointed out that although the hearing starts at 4:00 p.m. people wishing to speak do not have to be there at 4:00. She stated that citizens can come after they get off of work and will still have the opportunity to speak. She explained that the hearing has been legally advertised as being held in the Council Chamber so the location cannot change, but the hearing will be projected live at the Civic Center for those wishing to view it. She noted that speakers will be asked to sign in at the time of the hearing.

Councilman Burgin explained that the hearing will adjourn no earlier than 6:00 p.m. to give citizens the opportunity to speak. Mayor Kluttz also explained that there will be no dialog with the Council; each speaker will be limited to three (3) minutes; and can only speak one (1) time. She indicated that Council wants to hear what everyone has to say.

(c) Access16 Anniversary

Mayor Kluttz announced that April 1, 2008 is the third year anniversary of Government Access Channel 16. Access16 provides the citizens of Salisbury and Rowan County with local government news and information, including government meeting broadcasts, Parks & Recreation program listings, Public Service announcements, special event notices, and emergency notifications. She congratulated Mr. Jason Parks and Mr. Michael Crowell for making this such a success.

**ADJOURNMENT**

**Motion** to adjourn the meeting was made by Mr. Woodson, seconded by Mr. Lewis. All council members agreed unanimously to adjourn. The meeting was adjourned at 6:15 a.m.

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Mayor

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City Clerk