

Salisbury, North Carolina
March 1, 2022

REGULAR MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; Interim City Manager Brian Hiatt, City Clerk Kelly Baker; and City Attorney J. Graham Corriher.

ABSENT: None.

In response to the State of Emergency declaration related to the spread of COVID-19 and to limit physical interactions and the potential spread of COVID-19 the Salisbury City Council met electronically. The meeting was called to order by Mayor Alexander at 6:00 p.m. A moment of silence was taken.

PLEDGE OF ALLEGIANCE

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

CHANGES TO THE AGENDA

Mayor Alexander noted the following changes to the Agenda:

Postpone – Item 9 Council to consider Land Development District Map Amendment CD-07-2021 to rezone one parcel located at the corner of Old Mocksville Road and 7th Street Extension from Neighborhood Mixed Use to Corridor Mixed Use creating a Conditional District Overlay to request an exception to the Land Development Ordinance.

Add – Council to go into closed session concerning a personnel matter as allowed by NCGS 143-318.11(a)(6) and regarding an economic development matter as allowed by NCGS 143-

318.11(a)(4).

ADOPTION OF THE AGENDA

Thereupon, Councilmember McLaughlin made a **motion** to adopt the Agenda with the presented changes. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

PROCLAMATIONS

Mayor to proclaim the following observances:

WOMEN IN CONSTRUCTION
WOMEN'S HISTORY

March 6-12, 2022
March 2022

RECOGNITION – AL HEGGINS

Mayor Alexander read the Resolution Council adopted at its December 7, 2021 meeting and presented a framed copy to Ms. Heggins. She also presented Ms. Heggins with an original painting of City Hall and a Key to the City.

Ms. Heggins thanked everyone who supported her during her time on Council and for all of the work they completed together. She stated it has been an honor to serve the public. She extended appreciation to her husband for his endless support as they continue their work in the community.

Mayor Alexander thanked Ms. Heggins for her service and devotion to the City.

CONSENT AGENDA

(a) Minutes

Adopt Minutes of the regular meeting of February 15, 2022.

(b) Voluntary Annexation – Cloninger Investments

Adopt a Resolution setting the date of the public hearing for March 15, 2022 for the voluntary annexation of Cloninger Investments located at 645 Julian Road.

RESOLUTION SETTING THE DATE OF THE PUBLIC HEARING ON THE QUESTION OF THE ANNEXATION OF CLONINGER INVESTMENTS, INC., PURSUANT TO GENERAL STATUTE 160A-31.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 9, and is known as Resolution 2022-07.)

(c) Voluntary Annexation – Oxford Station

Receive a request for voluntary annexation of Oxford Station, Tax Map 321 Parcel 079, located on Old Mocksville Road and adopt a Resolution instructing the City Clerk to investigate the sufficiency of the request.

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIAGE A PETITION RECEIVED UNDER GENERAL STATUTE 160A-31, FOR THE VOLUNTARY ANNEXATION OF OXFORD STATION, 79.521 ACRES LOCATED ON OLD MOCKSVILLE ROAD AND IDENTIFIED ON TAX MAP 321 AS PARCEL 079.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 10, and is known as Resolution 2022-08.)

(d) Voluntary Annexation – Henderson Grove Church Road

Receive a Certificate of Sufficiency and adopt a Resolution setting the date of the public hearing for March 15, 2022 for the voluntary annexation of Tax Map 407 Parcels 014 and 015 located on Henderson Grove Church Road.

RESOLUTION SETTING THE DATE OF THE PUBLIC HEARING ON THE QUESTION OF THE ANNEXATION OF HENDERSON GROVE CHURCH ROAD, PARCELS 407-014 AND 407-015, PURSUANT TO GENERAL STATUTE 160A-58.1.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 11-13, and is known as Resolution 2022-09.)

(e) Staff Holiday Calendar

Approve the addition of Juneteenth to the City staff holiday calendar for FY2021-2022 and going forward. The holiday will be observed Monday, June 20, 2022. This observance will replace President's Day on future staff holiday calendars.

(f) Parking – Annadale Avenue

Adopt an Ordinance amending Section 13-338 of the City Code to restrict parking at all times on Annandale Avenue beginning at West Henderson Street to a point 318 feet north of West Henderson Street.

ORDINANCE AMENDING CHAPTER 13, ARTICLE X, OF THE CODE OF THE CITY OF SALISBURY, RELATING TO PARKING.

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 66, and is known as Ordinance 2022-16.)

(g) Right-of-Way Use Permit

Approve a Right-of-Way Use Permit for the use of two parking spaces adjacent to 133 South Main Street through April 1, 2022 for building renovations.

(h) Resolution of Support

Adopt a Resolution of support for a Congestion Mitigation Air Quality (CMAQ) grant application for the purchase and renovation of the Salisbury Depot.

RESOLUTION SUPPORTING A CMAQ APPLICATION FOR THE PURCHASE AND RENOVATION OF THE HISTORIC SALISBURY DEPOT.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 14, and is known as Resolution 2022-010.)

Thereupon, Councilmember Post made a **motion** to adopt the Consent Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comment.

Ms. Lauren Alexander-Perse, Project Director of YSUP Rowan, requested Council reflect on the impact the proposed Social District could have on the youth. She suggested limiting social district consumption hours at Bell Tower Green until after 5 p.m. when children are least likely to be present and not allowing the use of clear cups.

Ms. Whitney Peckman addressed Council regarding the proposed Salisbury Social District and requested Council approve the Social District for a trial period of six to nine months.

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

LAND DEVELOPMENT DISTRICT MAP AMENDMENT CD-07-2021

This item was postponed.

DOWNTOWN SALISBURY SOCIAL DISTRICT

Downtown Development Director Sada Stewart Troutman and DSI Board Member Samantha Haspel addressed Council regarding the proposed Downtown Salisbury Social District. Ms. Troutman pointed out Ms. Haspel helped lead the task force that explored the feasibility of a social district in downtown.

Ms. Haspel stated a social district is a specific area where alcoholic beverages are allowed in open containers on the street. She explained the law was written during the pandemic to increase economic vitality by bringing people downtown and creating a revenue source for local businesses. She noted a geographic zone must be established and a map of the zone must be filed with the Alcoholic Beverage Control (ABC) Commission. She pointed out special cups that state where the alcohol was sold are required and the cups must be no larger than 16 ounces and marked "Must be 21-please drink responsibly". She added the district must be marked with visible signs and sanitation, safety, and public health must be adequately addressed.

Ms. Troutman indicated the proposed social district would encourage growth in the Municipal Service District (MSD). She explained the Downtown Salisbury Social District would be jointly managed by Downtown Development, the Police Department, and Public Works.

Ms. Haspel stated any permanent ABC establishment is allowed to serve drinks to go provided they abide by the rules and regulations of the ABC and the social district. She pointed out establishments are not required to participate and non-ABC permitted establishments do not have to allow the social district cups in their businesses. She noted participating businesses would be required to sign-up with Downtown Salisbury, Inc. (DSI) to make sure each business understands the law, their responsibility, and to coordinate promotional and operational materials and information. She added all other permits and regulations still apply to serving and selling alcohol and placing tables and chairs on the sidewalk.

Ms. Troutman reviewed the proposed social district boundaries which encompasses most of the MSD. She explained the proposed district does not cross the railroad tracks on its eastern boundary and it does not include the Rowan Public Library. She noted Bonaparte's, a new restaurant, tavern, and wedding venue, has requested to be included in the proposed social district. She pointed out Bonaparte's is located at 619 South Main Street, two blocks outside of the MSD.

Ms. Troutman explained the proposed Downtown Salisbury Social District would operate from 12:00 p.m. until 12:00 a.m. Sunday through Thursday and from 12:00 p.m. until 2:00 a.m. on Friday and Saturday. She pointed out the Bell Tower Green Park would operate as part of the social district from 5:00 p.m. until closing Sunday through Saturday and would be excluded from the district during special events.

Ms. Haspel stated state law requires the drinking containers prominently display the social district logo that is unique to the district and the trademark or logo of where the alcohol was purchased. She commented the cup would also state the name of the person purchasing the drink, as shown on their identification, and the date and time of the purchase which would address underage drinking concerns. She noted the cup is see-through and meets recycling standards. She

added:

- Containers will be purchased by ABC permitted establishments
 - Bars and Restaurants have agreed to pay for the cups
- Social district containers may not be carried into non-participating businesses
- Any ABC-permitted establishment shall not allow a person to enter or reenter its premises with an alcoholic beverage not sold by the permittee
- A person shall dispose of any alcoholic beverage prior to entering another business that sells alcohol and prior to exiting the social district
- A person shall engage in the social district during the hours and within the boundaries set by the City

Ms. Haspel added it has been suggested that patrons make a donation for the cups and the money then be donated to YSUP Rowan to maintain its youth anti-drinking campaign. Ms. Troutman noted there will be no budget request regarding the social districts. She stated the merchants think the proposed social district will benefit their businesses and are willing to take on the costs. She reviewed the departments that would be impacted by social districts:

- Downtown Development would help manage the social district
- Public Works would provide staff support with recycling and trash
- Police Department would enforce the social district
- Parks and Recreation is supporting through management of Bell Tower Green Park
- Communications would provide promotional support and create the logo
- Engineering would work with NCDOT
- Finance would help with budget information

Ms. Troutman noted during the public engagement sessions questions were received regarding security and enforcement. She stated staff has spoken to Chief Stokes and other communities who implemented social districts and it does not believe there will be an increase in crime related to the social district. She explained there will not be a designated downtown police officer, but enforcement of laws and regulations will be handled by the Police Department.

Ms. Troutman indicated Public Works provides sanitation services within the social district boundaries. She pointed out receptacles are located within the social district boundaries and ABC permitted establishments within the district are required to provide receptacles at their door. She added marketing and promotion will be provided by DSI and the City in collaboration with participating businesses.

Ms. Hapsel reviewed cities in North Carolina that are considering social districts. Ms. Troutman reviewed the social district rules adopted by Kannapolis and Norwood. Ms. Hapsel added she has spoken to people from cities that implemented social districts and the consensus has been they have not seen an increase in crime, and the social districts have increased revenue streams without creating an extra burden on the cities.

Ms. Troutman stated she met with YSUP Rowan, Rowan Helping Ministries, Rowan Public Library, the Bell Tower Green Board, the Parks and Recreation Advisory Board, the

Community Appearance Commission, and the DSI Board who offered constructive feedback that was implemented into the plan. She pointed out the most frequently asked questions were about enforcement and if a person could bring their own alcohol.

Ms. Troutman requested Council consider the boundaries of the social district and the hours of operation as proposed. She added the businesses see the proposal as a privilege and understand they must follow the rules and regulations. She then requested Council consider setting a public hearing for its March 15, 2022 meeting regarding the adoption of a Downtown Salisbury Social District.

Councilmember Post asked if there will be a trial period for the social district. Ms. Hapsel stated she is not suggesting a trial period. She clarified she is suggesting the task force and Council meet a few months after the district is implemented to review its progress.

Councilmember Post asked for clarification regarding the cups. Ms. Hapsel explained the cups will be purchased in bulk by the merchants. She added each merchant will purchase stickers with their personal business logo. She stated each cup will have two stickers: the social district sticker and the sticker indicating where the alcohol was sold.

Councilmember Post asked about the recycling containers. Ms. Troutman explained the bars and restaurants must have a receptacle that they will purchase at the door of their business. She noted if a patron has a cup from one establishment they cannot take it into another establishment that serves alcohol.

Councilmember Post asked how much the social district will cost the City. Ms. Troutman noted staff has spoken to each department and to other cities who indicated the proposal will not place an extra burden on staff.

Councilmember McLaughlin stated social districts are a creative way of generating revenue for small businesses. He pointed out the proposed boundaries for the social district are near neighborhoods and churches and children will observe adults buying alcohol at the park. He noted he likes the idea, but he does not know if the entire proposed district is needed in the beginning. He commented the previous Council indicated it would like to start small, and he thinks that is a good idea. He stated he would like to see the district reduced to a limited area and from there determine the cost to the City.

Councilmember Smith asked if other municipalities used a trial period when implementing their social district. Ms. Troutman noted Greensboro, Norwood, and Kannapolis did not have a trial period, but Greensboro had a delay between approval and implementation.

Ms. Hapsel noted a smaller map was originally proposed and staff thought it was confusing. Ms. Troutman stated Council will have final approval of the map and hours of operation.

Mayor Pro Tem Sheffield commented a great deal of work has gone into the proposal. She stated she attended some of the sessions, and she pointed out Council's decision regarding the proposal could be reversed. She suggested revisiting the maps. She indicated the task force

listened to concerns and came back with solutions, suggestions, and partnerships that do not encourage underage drinking, but encourage patrons to spend more time downtown and support the local businesses.

Mayor Alexander stated she likes the idea of reviewing the boundaries and including the Napoleon Bonaparte house as it is redeveloped into a restaurant and wedding venue.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to set a public hearing for March 15, 2022 to receive public comment on the proposed Downtown Salisbury Social District. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

CONTRACT – ATLANTIC COAST CONTRACTORS, INC.

Salisbury-Rowan Utilities (SRU) Director Jim Behmer pointed out the Sanitary Sewer Rehabilitation Project is part of ongoing efforts to reduce inflow infiltration in the SRU wastewater system. He noted Atlantic Coast Contractors, Inc. is specialized in the type of construction needed for the project and has completed City projects in the past with quality work. He commented the \$650,000 project cost is included in SRU's current budget.

Thereupon, Councilmember Smith made a **motion** to authorize the City Manager to execute a contract with Atlantic Coast Contractors, Inc. in the amount of \$650,000 for construction related to the Sanitary Sewer Rehabilitation Project – Contract 2. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

UPDATE – KIVA

Councilmember Post presented information regarding Kiva and a new trustee based model. He noted the City will not be involved since the model changed to a trustee based model. He reviewed the Kiva trustee model and its benefits and responsibilities along with information on certified trustees.

Councilmember Post pointed out Salisbury Kiva would be a non-profit platform with a trustee board of 10 to 12 members. He noted local responsibilities would include promoting Kiva, endorsing the borrower, and referring borrowers to a part time Kiva Coach. He added the Kiva Coach would work 10 to 15 hours per month and be paid \$3,000 to \$5,000 per year. He pointed out the cost could be taken care of by the City, by donors, a foundation grant, or a non-profit organization. He explained the Kiva Coach would guide trustee-referred borrowers through the application process, encourage team development and raise additional matching funds if needed.

Councilmember Post stated Salisbury Kiva will be driven by the private sector, and there will be no annual funding fee. He noted the proposal is to invest current budgeted matching funds of \$60,000 for one year at a 10% cost of \$6,000. He added the already budgeted \$25,000 Kiva fee

for the next two years could be reallocated to the matching fund. He explained Salisbury Kiva can be re-examined next year.

Mayor Pro Tem Sheffield thanked Mr. Post for bringing Kiva to Council and working to create a better understanding and aspect of visibility for small businesses in Salisbury.

Mayor Alexander commented a one-year contract is a great idea to allow the City to revisit the efforts and commitments annually.

Councilmember Smith thanked Councilmember Post for providing clarity and reinforcing the City's commitment to diversity, equity and inclusion especially around economic development.

Councilmember McLaughlin thanked Councilmember Post for his efforts in the Salisbury Kiva. He pointed out through his opportunity with Kiva he found communication was an obstacle, and he added it sounds like the communication will be improved with the trustee model.

BOARDS AND COMMISSIONS

Alternate Methods of Design Commission

Upon a motion by Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment was made to the Alternate Methods of Design Commission:

Mr. Chad Morgan

Term Expires 3/31/2025

Greenway, Bicycle and Pedestrian Committee:

Upon a motion by Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment and reappointments were made to the Greenway, Bicycle and Pedestrian Committee:

Mr. Eric Phillips

Term Expires 3/31/2025

Ms. Sashi Sabaratnam

Term Expires 3/31/2025

Mr. John Wear

Term Expires 3/31/2025

Historic Preservation Commission:

Upon a motion by Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment was made to the Historic Preservation Commission:

Ms. Lillian Goodnow

Term Expires 3/31/2025

Human Relations Council

Upon a motion by Councilmember Smith. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following reappointments were made to the Human Relations Council:

Mr. Gemale Black
Mr. Bill Clements

Term Expires 3/31/2025
Term Expires 3/31/2025

Parks and Recreation Advisory Board

Upon a motion by Councilmember McLaughlin. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointments were made to the Parks and Recreation Advisory Board:

Mr. Ben King
Ms. DaNya Richardson

Term Expires 3/31/2025
Term Expires 3/31/2025

Tree Board

Upon a motion by Councilmember McLaughlin. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment was made to the Tree Board:

Mr. Matt Kelley

Term Expires 3/31/2025

Hurley Park Advisory Board

Upon a motion by Councilmember McLaughlin. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment was made to the Hurley Park Advisory Board:

Mr. Rena Taylor

Term Expires 3/31/2025

CITY ATTORNEY'S REPORT

City Attorney Graham Corriher had nothing to report to Council.

CITY MANAGER'S REPORT

Interim City Manager Brian Hiatt requested Council's feedback for its second meeting in March regarding the newly released COVID mask regulations for high risk counties. He pointed out Public Health Director Alyssa Harris advised Rowan County will move out of the high risk category this week. By consensus, Council agreed for its March 15, 2022 meeting to take place

as a hybrid meeting allowing the public to attend in person and online. Council has also requested social distancing take place and will decide about mask requirements prior to the meeting.

COUNCIL COMMENTS

Councilmember Post expressed his appreciation to Council for its responsiveness on Kiva.

Councilmember McLaughlin thanked the presenters for their time and dedication.

Councilmember Smith commented he looks forward to the Cure Violence Model presentation with Ingram Bell at Council's March 15, 2022 meeting.

MAYOR PRO TEM COMMENTS

Mayor Pro Tem Sheffield pointed out several events are taking place for Ash Wednesday.

Mayor Pro Tem Sheffield recognized Delta Sigma Theta and Omega Psi Phi for their work collaborating with the Salisbury Police Department Victim Advocacy Group and hosting The Red Sand event to raise awareness on human trafficking.

Mayor Pro Tem Sheffield commented the program called "The Talk" by Dr. Sonny Kelly demonstrated a conversation between Mr. Kelly and his son on race in today's environment. She thanked Actions in Faith and Justice for its work on the presentation.

Mayor Pro Tem Sheffield expressed the importance of proceeding with compassion and awareness with the state of the world today.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

(a) Utility Payment Drop Boxes

Mayor Alexander announced the Salisbury Customer Service Center will phase out its utility payment drop boxes in Rowan County communities on Friday, April 1, 2022. Residents who use the drop boxes will receive individual correspondence in advance of the removal. Residents are encouraged to visit salisburync.gov/billpay to set up free electronic bill pay or contact the Customer Service Center at (704) 638-5300 for additional bill pay options.

Mayor Alexander pointed out the payment drop box will remain at the City Office Building at the corner of North Main Street and West Council Street.

Mayor Alexander recognized the Red Sand Project for raising awareness to youth on human trafficking. She expressed her appreciation for all community groups who partnered together and participated in the program.

Mayor Alexander commented Dr. Sonny Kelly's performance brought attention to race in today's environment.

Mayor Alexander expressed her gratitude to citizens and churches for coming together to host the peace vigil for the ongoing conflict in Ukraine.

Mayor Alexander reflected on her work the past year with the 1MBB program which encourages the creation of one million new black-owned businesses. She stated on Friday March 4, 2022, she will be on a zoom call with Operation HOPE and John Hope Bryant who started the campaign.

Mayor Alexander recognized Livingstone College for its entrepreneurial course focused on coaching and providing students with the financial tools needed to succeed.

CLOSED SESSION

Thereupon, Councilmember Post made a **motion** to go into closed session concerning a personnel matter as allowed by NCGS 143-318.11(a)(6) and regarding an economic development matter as allowed by NCGS 143-318.11(a)(4). Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

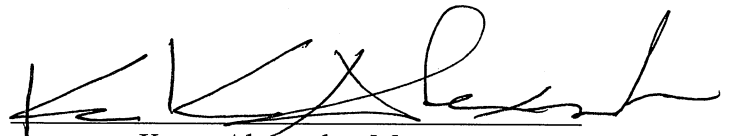
RETURN TO OPEN SESSION

Mayor Alexander reconvened the meeting in open session.

Mayor Alexander stated no action was taken during closed session.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Post. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 8:25 p.m.



Karen Alexander, Mayor



Kelly Baker, City Clerk