



City of Salisbury

North Carolina

COUNCIL MEETING AGENDA

April 18, 2023
6:00 p.m.

The meeting will be held in a hybrid format and will be streamed live at salisburync.gov/webcast and on the City's Facebook account.

Anyone who wishes to speak via Zoom during public comment must sign-up by 5:00 p.m. on April 18, 2023 by contacting Connie Snyder at csnyd@salisburync.gov. Citizens who wish to speak in person can sign up in Council Chambers.

1. Call to order.
2. Moment of Silence.
3. Pledge of Allegiance.
4. Adoption of Agenda.
5. Mayor to proclaim the following observances:

EARTH DAY	April 22, 2023
NATIONAL CRIME VICTIMS' RIGHTS WEEK	April 23-29, 2023
CIVITAN AWARENESS MONTH	April 2023
BIKE MONTH	May 2023

6. Council to consider the CONSENT AGENDA:
 - (a) Approve Minutes of the special meetings of March 20, 2023 and March 30, 2023 and the regular meeting of April 4, 2023.
 - (b) Adopt a budget Ordinance amendment to the FY2022-2023 budget in the amount of \$9,000 to appropriate a donation for expenses related to recreation programs and the Bell Tower Green Summer Concert Series.
 - (c) Receive the Certificate of Sufficiency for the voluntary annexation of 807 Julian Road, Tax Map 400 Parcel 045 and adopt a Resolution setting the date of the public hearing for May 16, 2023.
 - (d) Approve Change Order #2 in the amount of \$400,000 to the contract with Mainlining America, LLC for water and sewer maintenance services for Salisbury-Rowan Utilities (SRU). Sufficient funds are available in the FY2022-2023 SRU budget to cover the cost of Change Order #2.

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- (e) Approve a right-of-way encroachment of approximately 2,885 linear feet of underground fiber optic cable by Spectrum on Cedar Springs Road and Circle M Drive per Section 11-24(27) of the City Code, subject to North Carolina Department of Transportation approval.
 - (f) Adopt a Resolution reaffirming Council’s support of conducting a referendum vote for Firefighter participation in Social Security.
 - (g) Adopt a Resolution of Support for an application to the North Carolina Department of Environmental Quality Local Assistance for Stormwater Infrastructure Investments Fund grant program. If awarded, this non-matching grant will make a significant impact on future Stormwater CIP projects and water quality initiatives.
7. Council to receive public comment. *Speakers who wish to speak via Zoom must sign-up before 5:00 p.m. by contacting Connie Snyder at csnyd@salisburync.gov.* Citizens who wish to speak in person can sign-up in Council Chambers. Citizens who are unable to speak during the meeting may submit written comments to the email above and they will be shared with Council.
8. Council to consider a revised economic development incentive grant request for Crow Holdings consisting of a local Level 2 Incentive Grant totaling approximately \$1.4 million over a three year period for construction of a 700,000 square foot building with a \$73 million capital investment by the company: *(Presenter – Rowan Economic Development Council Vice President Scott Shelton)*
- (a) Receive a report
 - (b) Hold a public hearing
 - (c) Adopt a local Level 2 Incentive Grant for Crow Holdings.
9. Council to consider closing an unimproved alley in the 400 block of East Council Street: *(Presenter – City Engineer Wendy Brindle)*
- (a) Receive a presentation from staff
 - (b) Hold a public hearing
 - (c) Consider adopting a **RESOLUTION** accepting an offer of dedication of the right-of-way
 - (d) Consider approving an **ORDER** closing a portion of the alley in the 400 block of East Council Street.
10. Council to receive an update from staff regarding maintenance of downtown street lights and the mast arm located at the intersection of Innes and Church Streets. *(Presenter – City Engineer Wendy Brindle)*
11. Council to receive an update from Duke Energy regarding the Park and Plug Program and consider authorizing the City Manager to execute a Site Host Agreement with Duke Energy to install an electric vehicle charging station in the municipal parking lot located at 301 South Main Street at no cost to the City. *(Presenters – Public Works Director Chris Tester and Duke Energy Project Manager Donald Hamilton)*
12. Council to consider approving the easements for Project C-5603H, sidewalk on Brenner Avenue from Statesville Boulevard to Horah Street, and intersection improvements at Brenner and Link Avenues. *(Presenter – City Engineer Wendy Brindle)*

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13. Council to receive an update regarding the Special Events process including a review of the revised Special Events Guidebook and shortened application form. (*Presenters – Deputy Fire Chief David Morris and Captain Adrian Gantt*)
14. Council to consider authorizing the City Manager to execute a 12-month lease agreement with New Sarum Brewing Company regarding the use of a portion of the City parking lot adjacent to their property from Friday evening through Sunday for events related to the brewery. (*Presenter – Downtown Development Director Sada Troutman*)
15. Council to consider appointments to various Boards and Commissions.
16. City Attorney's Report
17. City Manager's Report.
18. Council's Comments.
19. Mayor Pro Tem's Comments.
20. Mayor's Announcements and Comments.
 - (a) Applications are being accepted for neighborhood participation in the 2023 BlockWork event scheduled for Saturday, October 28, 2023. Applications and guidelines are available online at www.salisburync.gov/BlockWork. The deadline to submit an application is May 1, 2023. For more information contact Alyssa Nelson at 704-638-5235 or email blockwork@salisburync.gov.
 - (b) The final Town Hall forum to receive input on the Council Election Process will be held Thursday, April 20, 2023 at Park Avenue Community Center, 632 Park Avenue. The public is encouraged to attend and provide input on the election process for City Council.
21. Adjourn.



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, April 22, 2023 will be the 53rd annual celebration of Earth Day; and

WHEREAS, the first Earth Day was celebrated April 22, 1970, with the goal of inspiring environmental awareness and encouraging the conservation, protection, and appreciation of our nation's natural resources; and

WHEREAS, it is the responsibility of each of us to safeguard the environment by recognizing that all human life depends upon the Earth and upon one another for our mutual existence, well-being, and development; and

WHEREAS, the steps we can take to protect and preserve our natural environment through education, partnerships, and positive actions are encouraged in our community; and

WHEREAS, Earth Day will reach beyond existing environmental constituencies to involve the broadest possible cross-section of society including business, media, religious, political, youth academic and cultural leaders; and

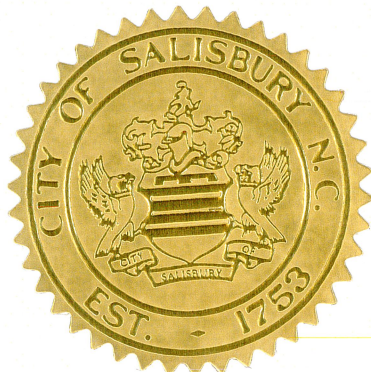
WHEREAS, the City of Salisbury proudly recognizes all who participate in Earth Day for their dedication in taking a proactive role in shaping the future of our environment and in protecting the community's precious natural resources.

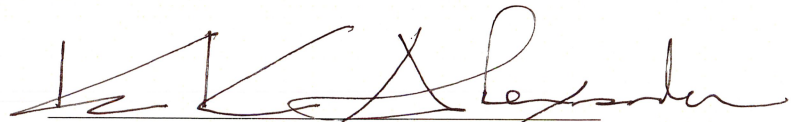
NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM April 22, 2023 as

EARTH DAY

in Salisbury, and encourage all of our citizens to be mindful of local, state and national laws which protect our environment, and to join in efforts to preserve the beauty and wonder of the lands, skies, and water of the Earth in all its diversity.

This the 18th day of April 2023.




Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, since 1981, National Crime Victims' Rights Week has taken place in April to educate the public about victimization, the effect victimization has on individuals, families, friends, and the community, and to promote laws, polices, and programs to help victims of crime; and

WHEREAS, every year, thousands of communities across the nation honor the dedication of those before us that established victim rights and renew commitment to guarantee that all victims have the rights and services they need to recover from crime; and

WHEREAS, treating victims with dignity serves the public interest by engaging victims in the justice system, inspiring respect for public authorities, and promoting confidence in public safety; and

WHEREAS, there is more to be done to advance these ideals as too many victims are denied their right to attend trial, present an impact statement at sentencing, or receive notice of the release of an offender; and

WHEREAS, everyone must work to ensure fair treatment of crime victims by providing protection for child and sexual assault victims, ordering and enforcing victim restitution from offenders, and notifying victims of their right to compensation and services, thereby giving hope to victims that the system and society will work to restore dignity and respect their needs and rights; and


WHEREAS, National Crime Victims' Rights Week provides an opportunity to raise awareness of the foundation of victim's rights of fairness, dignity and respect, and to recommit to honoring those values by ensuring that all victims are afforded their legal rights and provided with assistance as they face the financial, physical and psychological impact of crime.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM the week of April 23-29, 2023 as

NATIONAL CRIME VICTIMS' RIGHTS WEEK

in Salisbury, and commend this observance to all of our citizens.

This the 18th day of April 2023.



Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, a bicycle is an economical, healthy, convenient, and environmentally sound form of transportation and an excellent tool for recreation and enjoyment of the City's scenic beauty; and

WHEREAS, throughout the month of May, residents and visitors will experience the joys of bicycling through educational programs, races, commuting events, charity events, or just going for a ride; and

WHEREAS, road and trail systems attract bicyclists each year, providing economic health, transportation, tourism, and scenic benefits; and

WHEREAS, creating a bicycle-friendly community has been shown to improve citizens' health, well-being, and quality of life, growing the economy, attracting tourism, improving traffic safety, and reducing pollution, congestion, and wear on our streets and roads; and

WHEREAS, bicycle tourism is a way to attract visitors year round to enjoy local restaurants, hotels, retail establishments, and cultural and scenic attractions; and


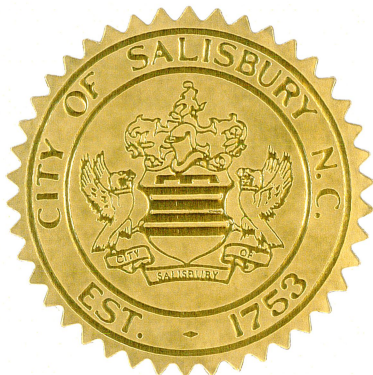
WHEREAS, National Bike Month helps to promote better awareness of bicycle operation and safety education in an effort to reduce collisions, injuries, and fatalities, and improve health and safety for everyone on the road.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM the month of May 2023 as

BIKE MONTH

in Salisbury, and encourages all the citizens to join in this special observance.

This the 18th day of April 2023.



Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, Civitan is an association of community service clubs founded in 1917 by a group of businessmen determined to make a difference in their community; and

WHEREAS, Civitan International has become one of the most active volunteer civic organizations in the United States, and has more than 40,000 total members across North America, Europe, Africa and Asia, including youth and college programs; and

WHEREAS, Salisbury is home to the Civitan Club of Salisbury, one of the 100 oldest continuously existing Civitan Clubs in the world, which has been in continuous existence since August 15, 1922; and

WHEREAS, the mission of Civitan worldwide is to build good citizenship by providing a volunteer organization of clubs dedicated to serving individual and community needs, with an emphasis on helping people with developmental disabilities; and

WHEREAS, Civitan Club of Salisbury members serve the community by fulfilling local charitable needs and generously providing of their time, financial support and continually seek experiences that provide fellowship, life direction, character building, leadership development, and the satisfaction of helping those in need; and

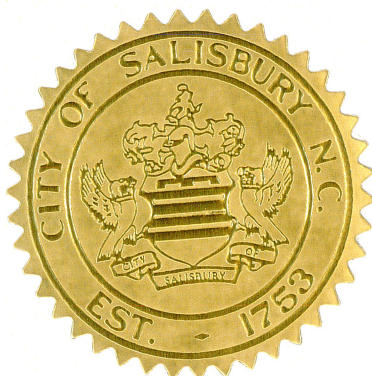
WHEREAS, the City of Salisbury recognizes and celebrates the contributions and dedication of Civitan International and the members of the Civitan Club of Salisbury whose efforts continue to make our community a better place to live, work, and raise families.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM the month of April 2023 as

CIVITAN AWARENESS MONTH

in Salisbury, and commend its observance to all citizens.

This the 18th day of April 2023.



Karen K. Alexander, Mayor

Salisbury, North Carolina
March 20, 2023

SPECIAL MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members David Post, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Connie B. Snyder; and City Attorney J. Graham Corriher.

ABSENT: Council Member Harry McLaughlin.

Salisbury City Council attended a Community Input Forum hosted by the Police Chief's Advisory Board regarding the search for a new police chief. The forum took place in Council Chambers in City Hall located at 217 South Main Street.

The meeting was opened by Dr. Roy Dennis, Chair of the Police Chief's Advisory Board, who noted the search for the next police chief is critical to the future of the City. He introduced City Manager Jim Greene, who is responsible for hiring the next police chief, and he thanked him for allowing the public an opportunity to provide feedback. Mr. Greene explained the process for hiring the next police chief, and he noted it is important to have transparency in the process. He introduced Mr. Merl Hamilton with Geisler Consulting Group who will assist the City with its search. Mr. Hamilton noted he will work with Mr. Greene to find the ideal candidate for the City, and he added the search will be national.

Human Relations Manager Anne Little served as moderator. Ms. Little presented the audience with questions regarding what they would like to see in the next police chief:

- If you could ask any questions to the applicant what would it be?
- What do you believe are the top three characteristics the new police chief should possess?
- What specific experience do you believe is essential for the next police chief?
- What do you believe should be the police chief's top priorities?

The community input indicated citizens want the next police chief to be invested in the community and to support community relations and transparency. They want the next police chief to have substance abuse and mental health training, to be mindful of police officer's mental health, and to provide police officer training. The characteristics citizens would like to see included integrity, empathy, and anti-racism. The top priorities for the police chief included de-escalation, working with youth, addressing violent crimes, building relationships, dealing with gangs and drugs, community engagement, and recruiting and retention of police officers.

The meeting ended at 7:30 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury, North Carolina
March 30, 2023

SPECIAL MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Connie B. Snyder; and City Attorney J. Graham Corriher.

ABSENT: Council Member David Post.

Salisbury City Council held a Town Hall regarding the City Council Election Process. The Town Hall took place at the Civic Center located at 315 South Martin Luther King Jr. Avenue. Mayor Alexander opened the meeting and welcomed everyone in attendance.

City Attorney Graham Corriher and Administrative Services Director Kelly Baker served as moderators. Mr. Corriher explained the process for changing the City Charter to affect the municipal election process. He noted the General Assembly has given Council the authority to:

- Make stylistic changes to the name of Salisbury and its governing board
- Change the terms to either two or four years
- Change the size of Council from three members to no larger than 12 members
- Change the mode of election to include districts, wards and at-large members
- Change from nonpartisan to partisan elections
- Change the method of selecting its Mayor
- Form of government
 - Mayor – Council
 - Council – Manager

Mr. Corriher reviewed the timeline and explained the process for Council initiated municipal Charter changes and changes subject to a referendum. He then reviewed the terms used by Rowan County municipalities and municipalities across the state of similar size.

Mr. Corriher noted the questions for consideration:

- Should Council have two or four year terms?
- Should Council terms be staggered?
- Should the size of Council be expanded?

Mr. Corriher explained the process for implementing staggered terms, and he noted the top two vote getters would receive four-year terms and the other remaining councilmembers would receive two-year terms.

There was discussion among attendees. Suggestions included:

- Changing the election process back to what it was
- Keeping the number of Councilmembers as low as possible
- Four year terms which would increase efficiency
- Taking time to make a decision
- Term limits

Mr. Corriher explained only the General Assembly can implement term limits. Ms. Baker noted the information collected at the Town Hall Sessions will be brought back to Council for its consideration.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Smith. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin and Smith voted AYE. (4-0)

The meeting was adjourned at 6:44 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury, North Carolina
April 4, 2023

REGULAR MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Connie Snyder; and City Attorney J. Graham Corriher.

ABSENT: None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 6:05 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.

ADOPTION OF THE AGEND / CHANGES TO THE AGENDA

Mayor Alexander noted the following changes to the Agenda:

Postpone Item 7f - Approve the easement documents for Project C-5603D, sidewalk on Old Concord Road from Ryan Street to Jake Alexander Boulevard.

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

RECOGNITION – RISK MANAGER JASON BREWER

Human Resources Director Ruth Kennerly recognized Risk Manager Jason Brewer for completion of the Public Sector – Manager of Environmental, Safety and Health Certificate Program. She noted Mr. Brewer was hired last October and has been a tremendous asset to the City. Mr. Brewer stated he enjoys working for the City and looking for ways to increase safety.

Council congratulated Mr. Brewer and thanked him for his work and dedication to the City.

PROCLAMATIONS

Mayor to proclaim the following observances:

AUTISM ACCEPTANCE MONTH	April 2023
FINANCIAL LITERACY MONTH	April 2023
FAIR HOUSING MONTH	April 2023
NATIONAL CHILD ABUSE AWARENESS MONTH	April 2023
SAFE DIGGING MONTH	April 2023
SEXUAL ASSAULT AWARENESS MONTH	April 2023

CONSENT AGENDA

(a) Minutes

Approve Minutes of the meeting of February 21, 2023 and the regular meeting of March 7, 2023.

(b) Purchase – Portable Laptop 911 Console

Authorize the purchase of a portable laptop 911 console from Motorola in the amount of \$102,598. This item is budgeted and funded through previously allocated additional sales tax revenue. The laptop can be used anywhere in the City or County to dispatch and track emergency Police and Fire Department resources for large scale events such as the Cheerwine Festival and emergency events.

(c) Community Development Block Grant Action Plan Amendment 1

Approve Amendment 1 to the Program Year 2020 Community Development Block Grant Annual Action Plan to reallocate funds that were unused due to the cancellation of projects. The reallocated funds will be used for the Lash Drive Sidewalk Project.

(d) Revised Incentive Grant – Crow Holdings

Set a public hearing for April 18, 2023 to consider a revised incentive grant for Crow Holdings.

(e) Voluntary Annexation – 807 Julian Road

Receive a request for the for the voluntary annexation of Tax Map 400 Parcel 045, located at 807 Julian Road, and adopt a Resolution instructing the City Clerk to investigate the sufficiency of the request.

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31, FOR VOLUNTARY ANNEXATION OF TAX MAP 400 PARCEL 045, 8.91 ACRES LOCATED AT 807 JULIAN ROAD.

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 10, and is known as Resolution 2023-07)

(f) Easement Documents – Sidewalk Old Concord Road

Approve the easement documents for Project C-5603D, sidewalk on Old Concord Road from Ryan Street to Jake Alexander Boulevard.

(g) The Gables at Kepley Farms Phase 6

Approve the final plat for the Gables at Kepley Farm Phase 6, accept the streets for maintenance, and establish the one year warranty period.

(h) Speed Limit Old Wilkesboro Road

Adopt an Ordinance amending Section 13-336 of the City Code to lower the speed limit for the entire length of Old Wilkesboro Road to 35 mph.

ORDINANCE AMENDING SECTION 13-336, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, NORTH CAROLINA RELATING TO SPEED LIMNITS – GENERALLY.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 106, and is known as Ordinance 2023-12.)

(i) Right-of-Way Use Permit – 133 South Main Street

Approve a right-of-way use permit for the use of two parking spaces adjacent to 133 South Main Street and a lane closure on East Fisher Street for use of an aerial lift for painting the exterior of the building located at 133 South Main Street. The sidewalk will have scaffolding set up to provide a safe pedestrian walkway during construction.

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 comments.

Ms. Dee Dee Wright noted her concern regarding the proposed recycling rate increases, and she questioned how the proposed rate increase will be included in the budget. She referenced a pothole near the intersection of McCubbins and Caldwell Streets that needs attention.

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

THE WILDE SUBDIVISION

Senior Planner Victoria Bailiff addressed Council regarding the voluntary annexation and rezoning request for The Wilde subdivision located along Statesville Boulevard. She added the property is contiguous to the City limits and water and sewer lines are located across Statesville Boulevard.

City Attorney Graham Corriher noted the proposed annexation is not located in the annexation moratorium area.

Ms. Bailiff explained Fiorenza Properties petitioned the City to rezone two parcels located at 2765 Statesville Boulevard totaling 38.64 acres. She indicated one parcel is split zoned Corridor Mixed-Use (CMX), Residential Mixed-Use (RMX), and Open Space Preserve (OSP). She added the smaller parcel is currently zoned Rowan County Commercial Business Industrial. She stated the applicant is requesting to rezone the parcels to RMX with a Conditional District (CD) Overlay. She displayed a map of the area, and she pointed out the larger parcel is in the City's Extraterritorial Jurisdiction (ETJ) and the smaller parcel is in Rowan County jurisdiction. She reviewed elevation designs and the zoning for the surrounding area.

Ms. Bailiff stated the master plan proposes a residential subdivision comprised of 54 single-family lots and 115 town home lots. She added the developer is requesting an alternative design that the clubhouse parking lot not stub out to adjacent properties as required by Section 10.6 of the Land Development Ordinance (LDO). She indicated staff recommends approval of the request.

Ms. Bailiff noted the Future Land Use Map has designated the larger parcel as Future Neighborhood which aligns with the rezoning request. She stated staff finds the request is consistent with the Forward 2040 Plan. She pointed out the Technical Review Committee considered the request at its October 20, 2022 meeting and recommended approval of the master

plan subject to minor revisions, which were satisfied upon resubmittal. She added the Planning Board considered the request at its March 14, 2023 meeting and found it to be consistent with the Forward 2040 Plan and recommended approval. She pointed out Parcel 330 040 does not have a place type designation in the Future Land Use Map and staff recommends Future Neighborhood place type.

Mayor Alexander convened a public hearing after due notice regarding the proposed annexation and rezoning of The Wilde subdivision.

Mr. Adam Fiorenza noted the townhomes would be approximately 1,800 to 2,200 square feet and would be priced in the mid to high \$200,000 price range. He added the single family homes would be approximately 2,200 to 3,500 square feet and would start in about the mid \$300,000 price range. He commented the town homes will include a parking garage under each unit.

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

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, North Carolina to include 38.646 acres located on Statesville Boulevard, Tax Map 330 Parcels 021 and 040. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA TO INCLUDE 38.646 ACRES LOCATED ON STATESVILLE BOULEVARD, TAX MAP 330 PARCELS 021 AND 040.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 107-108, and is known as Ordinance 2023-25.)

Councilmember Smith stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein, is reasonable and is in the public interest. The proposal is fundamentally consistent with the goals, objectives, and policies of the Forward 2040 Comprehensive Plan. Thereupon, Mr. Smith made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina to rezone 2765 Statesville Boulevard, approximately 38.646 acres, Tax Map 330 Parcels 021 and 040, from Corridor Mixed-Use, Residential Mixed-Use, Open Space Preserve, and Rowan County Commercial Business Industrial to Residential Mixed-Use with a Conditional District Overlay and to amend the Future Land Use Map to assign Tax Map 330 Parcel 040 the place type of Future Neighborhood. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA TO REZONE 2765 STATESVILLE BOULEVARD, APPROXIMATELY 38.646 ACRES, TAX MAP 330 PARCELS 021 AND 040, FROM CORRIDOR MIXED-USE, RESIDENTIAL MIXED-USE, OPEN SPACE PRESERVE, AND ROWAN COUNTY COMMERCIAL BUSINESS INDUSTRIAL TO RESIDENTIAL MIXED-

USE WITH A CONDITIONAL DISTRICT OVERLAY AND TO AMEND THE FUTURE LAND USE MAP TO ASSIGN TAX MAP 330 PARCEL 040 THE PLACE TYPE OF FUTURE NEIGHBORHOOD.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 109-110, and is known as Ordinance 2023-26.)

**COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAM FUNDS
2023 ACTION PLAN AND BUDGET DRAFT**

Planning Director Hannah Jacobson presented the draft 2023 Action Plan and Budget for the use of Community Development Block Grant (CDBG) and HOME Program funds from the United States Department of Housing and Urban Development (HUD). She stated the City is eligible for \$307,000 in CDBG funds which is a 6% increase from last year. She noted the City is an entitlement community that receives formula funds. She added the City is also eligible for \$153,000 in HOME Program funds. She indicated the total budget is \$481,110 and includes \$20,000 in CDBG program income.

Ms. Jacobson noted HUD requires the City to complete a Five-Year Consolidated Plan every five years which was adopted in 2020 and includes six goals:

- Goal 1 – Increase supply of decent, affordable housing
- Goal 2 – Improve public facilities & infrastructure
- Goal 3 – Provide opportunities for home ownership
- Goal 4 – Provide assistance to public service agencies
- Goal 5 – Affirmatively further fair housing
- Goal 6 – Effectively plan and administer programs

Ms. Jacobson noted programs that are set up within the one-year Action Plan have to meet one of the six goals and staff recommends supporting:

- Owner-occupied rehabilitation at \$150,000
- New single-family construction at \$85,051
- Down payment assistance at \$60,000
- Public infrastructure projects at \$60,000
- Support for public service agencies at \$46,103
- Fair housing at \$5,000
- Planning and Administration at \$70,174

Ms. Jacobson pointed out there is approximately \$50,000 remaining from the CARES Act funds that will be used to support public agencies. She indicated 20% of CDBG funds and a smaller portion of HOME Program funds can be allocated to planning and administration of the programs.

Ms. Jacobson stated citizen participation is an important aspect of the Action Plan process. She noted a public hearing was held on March 7, 2023 and online surveys will be available in English and Spanish. She indicated the 30-day public comment period will end May 5, 2023. She pointed out copies of the draft are available online and at various locations throughout the City. She noted the goal is to bring the Action Plan back to Council on May 16, 2023 for its consideration.

Councilmember McLaughlin asked how many homeowners are assisted with the proposed funding. Ms. Jacobson pointed out one of the requirements is for the homes to be brought up to code which can require a substantial investment. She added over 50 homeowners have been helped through the program.

Mayor Alexander thanked Ms. Jacobson for her presentation.

CONTRACT EXTENSION – REPUBLIC SERVICES

Sustainability Coordinator Allie Thies and Waste Management Operations Manager Teixeira addressed Council regarding an extension to the recycling services contract.

City Manager Jim Greene stated the current recycling contract will end June 30, 2023, and the contractor, Republic Services, is working well with the City. He added there is an opportunity to extend the recycling contract for two additional years. He explained the proposed contract extension includes a price increase of \$.50 for each fiscal year. He commented if Council does not approve a fee increase the funds would come from somewhere else or the service would be reduced or eliminated.

Ms. Teixeira noted the City began a three-year service contract with Republic Services on July 1, 2020 and the contract is set to expire on June 30, 2023. She added the contract includes a provision for a consumer price index increase with a 4% cap.

Ms. Teixeira pointed out in FY2021-2022 1,725 tons of recycling was collected, which resulted in waste reduction. She added increased landfill fees should also be considered. She explained recycling fees are displayed on the water bill and residential and businesses fees are the same. She commented recycling service is optional for apartments with dumpsters.

Ms. Teixeira explained contamination increases recycling costs for the City. She stated the City's recycling contamination rate is approximately 28% and during the latest cart audit 160 out of 305 bins, or approximately 52%, contained one or more contaminants. She reviewed acceptable items for recycling, and she noted the highest contaminants are plastic bags, plastic wrapping from drink containers, styrofoam, food waste, and toys. She added staff is considering an update to the Ordinance to allow for the removal of polluted recycling bins which would decrease the contamination rate.

Public Works Director Chris Tester noted the request before Council is for a two-year contract extension that would begin July 1, 2023 and end June 30, 2025 after which there would

be an optional contract renewal for one additional year. He stated the City's current recycling fee is \$5.80, and the proposed fee for the coming fiscal year would be \$6.30 and the following year would be \$6.80 per pickup point per month. He explained the estimated contract total is based on collection points and the current contract is approximately \$618,000. He indicated the expected cost for year one is \$683,000 and the cost for year two is \$747,000. He added staff is requesting Council consider approving a two-year contract extension with Republic Services for curbside recycling with a fee increase that will be included in the FY2023-2024 and FY2024-2025 budget.

Mayor Pro Tem Sheffield stated she does not support a rate increase, and she asked staff to consider a different approach. Councilmember Smith asked if the proposed amendment is based on the current population. Mr. Tester explained the contract is based on current collection points per recycling container.

Mayor Alexander asked if the City is charging fees for those who contaminate recycling. Ms. Teixeira noted the City does not charge a contamination fee, but staff is looking to change the Ordinance to create a fee or pull the recycling can for customers with repeated high contamination rates.

Mayor Pro Tem Sheffield asked about the City's 28% contamination rate. Ms. Teixeira noted the City's 28% contamination rate is around the average of cities whose recycling is picked up by Republic Services. Mayor Alexander asked how other communities address the contamination. Ms. Teixeira noted she has spoken to communities who have changed their Ordinance and after three notices the recycling bin is removed from the residence and a fee is charged if the bin is returned.

Councilmember Post noted if the fees are not collected from customers the options are to raise taxes for reduced services.

Mr. Tester indicted landfill fees are also increasing. Mayor Alexander asked if there will be much difference between the increase in landfill and recycling fees. Mr. Tester stated if the amount of debris taken to the landfill can be reduced even though that cost per ton is increasing the fee can decrease. He noted customers are charged a landfill fee and an increase for customers has not been proposed. He explained reducing the waste that goes to the landfill can balance out recycling costs.

Mayor Pro Tem Sheffield stated she understands the contract and the need, but she cannot support a fee increase. There was discussion among Council regarding the options including raising taxes or raising fees.

Councilmember Smith asked if the recycling rate is negotiable. Mr. Tester stated staff has negotiated with the contractor regarding cost for the service. Councilmember McLaughlin asked if customers can opt out of the recycling service and reduce the cost. Mr. Tester indicated the City does not have an option to opt out of the recycling contract, and he pointed out the proposal is an amendment to extend the existing contract. He noted 10,800 estimated collection points are required for Republic Services to realize a profit. He added the company charges per bin whether the can is used or not.

Mr. Greene noted reducing the pickups to once a month was discussed, but Republic Services was not interested. There was additional discussion among Council regarding the contract and funding options.

Councilmember Smith asked how other municipalities are handling fee increases with low income families and households that have a significant cost burden. Ms. Teixeira noted staff can bring the information back to Council. Mr. Greene commented the City offers a Share-2-Care Program where individuals can help pay for the utility bills of those who are unable to pay their utility bill. Mayor Alexander asked if a decision must be made tonight or if Council can decide on the contract and determine funding options at a later date. Mr. Greene agreed, and he pointed out the fee recommendation will be included in the budget presentation to Council. He pointed out the market for recycling is volatile and putting the contract out to bid could result in higher rates. He commented staff can go back to the contactor and request additional time to make a decision.

By consensus, Council agreed to postpone a decision on the recycling contract.

CONTRACT – LABELLA ASSOCIATES

Public Works Interim Assistant Director Michael Hanna and Public Works Director Chris Tester asked Council to consider authorizing the City Manager to execute a contract with LaBella Associates, D.P.C. in an amount not to exceed \$332,738.50 for engineering services associated with the Jackson Street Drainage Project Phase 1 and to adopt a budget Ordinance amendment to the FY2022-2023 budget to appropriate \$53,000 in additional interest income to cover project price increases.

Mr. Hanna provided an update on the Stormwater Capital Improvement (CIP) Master Plan. He stated the master plan includes a design for planning, constructing, and funding 15 years of capital improvement projects that address infrastructure conditions, capacity issues, flooding concerns, and water quality. He noted the CIP Master Plan was presented to Council at its 2022 Retreat and included in Council's 2022 priorities.

Mr. Hanna explained the current stormwater fee was adjusted in FY2023 to the newly adopted CIP rate of 6% to \$4.41 per Equivalent Residential Unit (ERU). He added the proposed fee for FY2024 includes a 9% increase to \$4.81 per ERU. He stated the stormwater fee is applied to single-family residential properties billed at one ERU or \$4.41 per month and multifamily and commercial properties are billed one ERU per 2,500 square feet of impervious surface area. He noted the impervious surface area is anywhere water will not penetrate and infiltrate the soil.

Mr. Hanna presented the 15-Year CIP Stormwater fee schedule, and he explained the stormwater fees go toward various services including leaf collection, street sweeping programs, public education and involvement, and help to fund infrastructure projects. He noted two funded infrastructure projects are the Ellis Street Pipe Replacement and the Hurley Park Pipe Lining Projects.

Mr. Hanna stated a ranking system that factored in sustainable practice, a consequence of failure score, watershed score, total parcels impacted, commercial parcels impacted, critical parcels present, public concern, and positive economic impact was implemented to highlight top CIP Projects. He stated the first CIP project identified is the Jackson Street Drainage Study due to aging infrastructure and a high level of maintenance needs. He noted there is a proposed contract with Labella Associates totaling \$332,738.50.

Public Works Director Chris Tester commented staff negotiated a scope and fee for the project design with LaBella Associates. He stated the design costs were more than anticipated and will require an interest income budget appropriation of \$53,000 to cover the increase

Councilmember Post asked where the \$53,000 interest income comes from in the FY2023 budget. Mr. Tester stated that the funds are from an additional interest in the Fund Balance.

Thereupon, Councilmember Post made a **motion** to authorize the City Manager to execute a contract with LaBella Associates, D.P.C. in an amount not to exceed \$332,738.50 for engineering services associated with the Jackson Street Drainage Project Phase 1. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

Thereupon, Councilmember Post made a **motion** to adopt a budget Ordinance amendment to the FY2022-2023 budget to appropriate \$53,000 in additional interest income to cover project price increases. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

ORDINANCE AMENDING THE 2022-2023 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE ADDITIONAL INTEREST INCOME.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 111, and is known as Ordinance 2023-27.)

CONTRACT – WITHERSRAVENEL

Public Works Interim Assistant Director Michael Hanna asked Council to consider authorizing the City Manager to execute a contract with WithersRavenel in an amount not to exceed \$659,000 for engineering services associated with the Long Street Drainage Improvement Study. Mr. Hanna stated the Long Street Drainage Improvement Study will address aging infrastructure, a high maintenance burden, and flooding concerns due to capacity issues.

Mayor Alexander asked if staff is working with engineers to evaluate the future environmental impact of projects and studies. Mr. Tester confirmed the engineering firms also assess environmental impacts and water quality. Mayor Alexander asked if the City qualifies for grants, and she noted money is available in the Department of Energy and Natural Resources and Federal grant funds. Mr. Tester confirmed staff is working with engineering firms to consider ways to apply for grant funding for infrastructure projects.

Thereupon, Councilmember McLaughlin made a **motion** to authorize the City Manager to execute a contract with WithersRavenel in an amount not to exceed \$659,000 for engineering services associated with the Long Street Drainage Improvement Study. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

BOARDS AND COMMISSIONS

There were no appointments.

CITY MANAGER'S REPORT

City Manager Jim Greene noted the recruitment brochure for the search for a new Police Chief will be available to the public on April 5, 2023, and the application will be open until May 10, 2023.

Mr. Greene added at the April 18, 2023, Council meeting a Special Events Report and study would be brought before Council to provide an update on the special event permit process, staffing, fees, and permitting timing.

COUNCIL COMMENTS

Councilmember McLaughlin thanked Rowan County Public Health for conducting a study to unite citizens and brainstorm ways for people of all ages to walk safely around their community.

Councilmember Post thanked staff for all they do for the City.

MAYOR PRO TEM'S COMMENTS

Mayor Pro Tem Sheffield thanked Council and staff for reviewing the proposal to increase recycling fees. She added with food and cost of living increases, she would like Council to consider alternatives instead of raising prices.

Mayor Pro Tem Sheffield asked Mr. Greene when Council will receive the preliminary budget packet. Mr. Greene noted that finance and staff are still reviewing departmental budgets and budget requests.

Mayor Pro Tem Sheffield recognized the loss of local singer Chelsea Rae Childers. She added Ms. Childers participated in numerous downtown City events and worked at the library. She stated Ms. Childers was a light in the community. Mayor Alexander added Ms. Childers was instrumental in starting the Salisbury Chickweed event that took place for over a decade.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

(a) BlockWork Applications

Mayor Alexander announced applications are being accepted for neighborhood participation in the 2023 BlockWork event scheduled for Saturday, October 28, 2023. Applications and guidelines are available online at www.salisburync.gov/BlockWork. The deadline to submit an application is May 1, 2023. For more information contact Alyssa Nelson at 704-638-5235 or email blockwork@salisburync.gov.

(b) Town Hall Forums

Mayor Alexander announced Salisbury City Council will hold two Town Hall forums to receive input on the Council Election Process. The Town Halls will be held Monday, April 17, 2023, at 6:00 p.m. at the Miller Recreation Center, 1402 West Bank Street, and Thursday, April 20, 2023 at Park Avenue Community Center, 632 Park Avenue.

(c) Salisbury Neighborhood Action Group Meeting

Mayor Alexander announced a Salisbury Neighborhood Action Group (SNAG) meeting will take place Wednesday, April 5, 2023 from 10:00 a.m. until to 11 a.m. at the Police Department located at 130 East Liberty Street. SNAG meetings are open to community members who want to engage with the Police Department regarding community needs. For more information contact Lieutenant Black at 704-638-5272 or Koula.Black@salisburync.gov, or visit [//salisburync.gov/police](http://salisburync.gov/police).

(d) Spring Spruce Up Week

Mayor Alexander announced Spring Spruce Up Week will be held April 10-14, 2023. Items must be placed at the curb no later than 7:00 a.m. on the resident's regular garbage collection day. For additional information or for a list of items Public Works can and cannot collect please visit www.salisburync.gov/SpruceUp or call 704- 638-5256.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 8:16 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 04-18-2023

Name of Group(s) or Individual(s) Making Request: Salisbury Parks and Recreation Department

Name of Presenter(s): Nick Aceves

Requested Agenda Item: Adopt a Budget ORDINANCE Amendment Appropriating a Parks & Recreation donation/sponsorship to the FY2022-2023 budget in the amount of \$9000.00 to help with expenses related to recreation programs and for the Bell Tower Green Summer Concert Series.

Description of Requested Agenda Item. The City has received a donation/sponsorship in the amount of \$9000.00 for expenses related to recreation programs and for the Bell Tower Green Summer Concert Series. NC General Statutes require that the City appropriate these revenues so that they can be legally spent.

Fiscal Note: *(If fiscal note requires approval by the finance department because the item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of the form and provide supporting documents)*

Action Requested of Council for Agenda Item: Adopt a Budget Ordinance amending the FY2022-2023 Budget in the General Fund of \$9000.00 for additional revenue. *(Please note if the item includes an ordinance, resolution, or petition)*

Contact Information for Group or Individual: Nick Aceves 704-638-5299

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

AN ORDINANCE AMENDING THE 2022-2023 BUDGET ORDINANCE
OF THE CITY OF SALISBURY, NORTH CAROLINA TO
APPROPRIATE PARKS AND RECREATION DONATIONS

Be it ordained by the City Council of the City of Salisbury, North Carolina, as follows:

Section 1. Appropriate donations for Parks and Recreation programs.

Section 2. That the 2022-2023 Budget Ordinance of the City of Salisbury, adopted on June 21, 2022, is hereby amended as follows:

(a) That the following General Fund line items be amended as follows:

(1)	Increase line item 010-000-000-4515.04 Recreation Grants and Donations	<u>\$ 9,000</u>
(2)	Increase line item 010-611-000-5131.05 Recreation Programs	\$ 5,000
(3)	Increase line item 010-621-606-5131.05 Recreation Programs	<u>\$ 4,000</u>
		<u>\$ 9,000</u>

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage.

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: City of Salisbury, Engineering Department

Name of Presenter(s): N/A

Requested Agenda Item: Sufficiency of Annexation Petition – 807 Julian Road – Lyerly Property

Description of Requested Agenda Item:

The Engineering Department, on behalf of the City Clerk, has investigated the sufficiency of the petition received for the voluntary annexation of Tax Map 400 Parcel 045 located at 807 Julian Road. The petition contains a description of the proposed contiguous annexation area, as well as the signature of the sole property owner. It is, therefore, sufficient in accordance with NCGS 160A-31.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Fiscal impact is unknown at this time. This will be included in the next step of the process.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

City Council to receive the Certificate of Sufficiency and adopt a Resolution setting the date of the public hearing for May 16, 2023 for the voluntary annexation of 807 Julian Road, Tax Map 400 Parcel 045.

Contact Information for Group or Individual:

Wendy Brindle, City Engineer
704-638-5201/wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******



**CERTIFICATE OF SUFFICIENCY
FOR**

To the City Council of the City of Salisbury, North Carolina:

I, Connie B. Snyder, NCCP, City Clerk, do hereby certify that I have investigated the petition for 807 Julian Road, off of Julian Road, Parcel 400 045, attached hereto and have found as a fact that said petitions are signed by all owners of real property lying in the area described therein, in accordance with G. S. 160A-31.

In witness thereof, I have hereto set my hand and affixed the Seal of the City of Salisbury, this 6th day of April, 2023.



Connie B. Snyder, NCCP
City Clerk

“RESOLUTION SETTING DATE OF PUBLIC HEARING ON QUESTION OF THE ANNEXATION OF 807 JULIAN RD, PARCEL 400 045 PURSUANT TO G.S. 160A-31.

WHEREAS, petitions requesting the annexation of Parcel 400 045 at 807 Julian Road, as described herein have been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petitions has been made;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury, North Carolina:

Section 1. The regularly scheduled May 16th, 2023 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 5:00 p.m. on Tuesday, May 16th, 2023 by contacting Connie Snyder at csnyd@salisburync.gov or 704-638-5234. Information on accessing the meeting will be available on the City’s website at www.salisburync.gov. The meeting can also be viewed on the City’s livestream at www.salisburync.gov/webcast or the City’s Facebook account.

Section 2. The areas proposed for annexation are described as follows:

Beginning at a pipe found on the western right of way of W. Ritchie Road (SR 2540) @ the Northeast corner of Jerry A Ritchie (DB 469, Pg 203) and being located N 01°47’27” E 46.44’ from an NCDOT disc; thence with the line of Jerry Ritchie S 85°47’40” W 698.99’ to a rebar found in the line of Tia Lor & See Yang (DB 829, Pg 363) ; thence with the line of Tia Lor N 02°22’16” E 271.84’ to a rebar found; thence N 02°19’33” E 348.71’ to a rebar found in center of Suzannes Road; thence along Suzannes Road N 85°25’49” E 429.94’ to a rebar found at the Southeast corner of Floyd A. Ritchie (DB 705, Pg 638); thence along Suzannes Road N 85°23’37” 101.67’ to a rebar set on the right of way Julian Road (SR 2528); thence with the right of way S 05°17’36” E 29.88’ to an NC DOT RW Disc; thence S 42° 00’31” E 46.40’ to a rebar set; thence with a curve to the left having a chord bearing and distance of S 13°25’43” E 345.64’ and a radius of 1,555.00’ to a rebar found; thence S 00°05’47” E 104.81’ to a rebar found; thence with a curve to the left having a chord bearing and distance S 16°18’50” W 114.99’ and a radius of 190.09’ to the point and place of **beginning**. Total area is 8.768 acres and shown on a survey by Jordan Grant & Associates, PLLC (704) 928-7919 dated January 31st, 2023, having a drawing file # 20221211.

Section 3. Notice of said public hearing shall be published in the SALISBURY POST at least (10) days prior to the date of said public hearing.”

Karen K. Alexander
Mayor

ATTEST:

Connie B. Snyder, NCCP
City Clerk



PETITION REQUESTING VOLUNTARY ANNEXATION
FOR 807 Julian Road

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>400</u> PCL <u>045</u>	<u>Vaughn Lyerly</u>	<i>Vaughn Lyerly</i>	<u>132 Woodland Dr Salisbury, NC 28146</u>
TM <u>400</u> PCL <u>045</u>	<u>Linda Lyerly</u>	<i>Linda Lyerly</i>	<u>132 Woodland Dr Salisbury, NC 28146</u>
TM ___ PCL ___	_____	_____	_____
TM ___ PCL ___	_____	_____	_____
TM ___ PCL ___	_____	_____	_____

(Attach additional petition forms if needed)

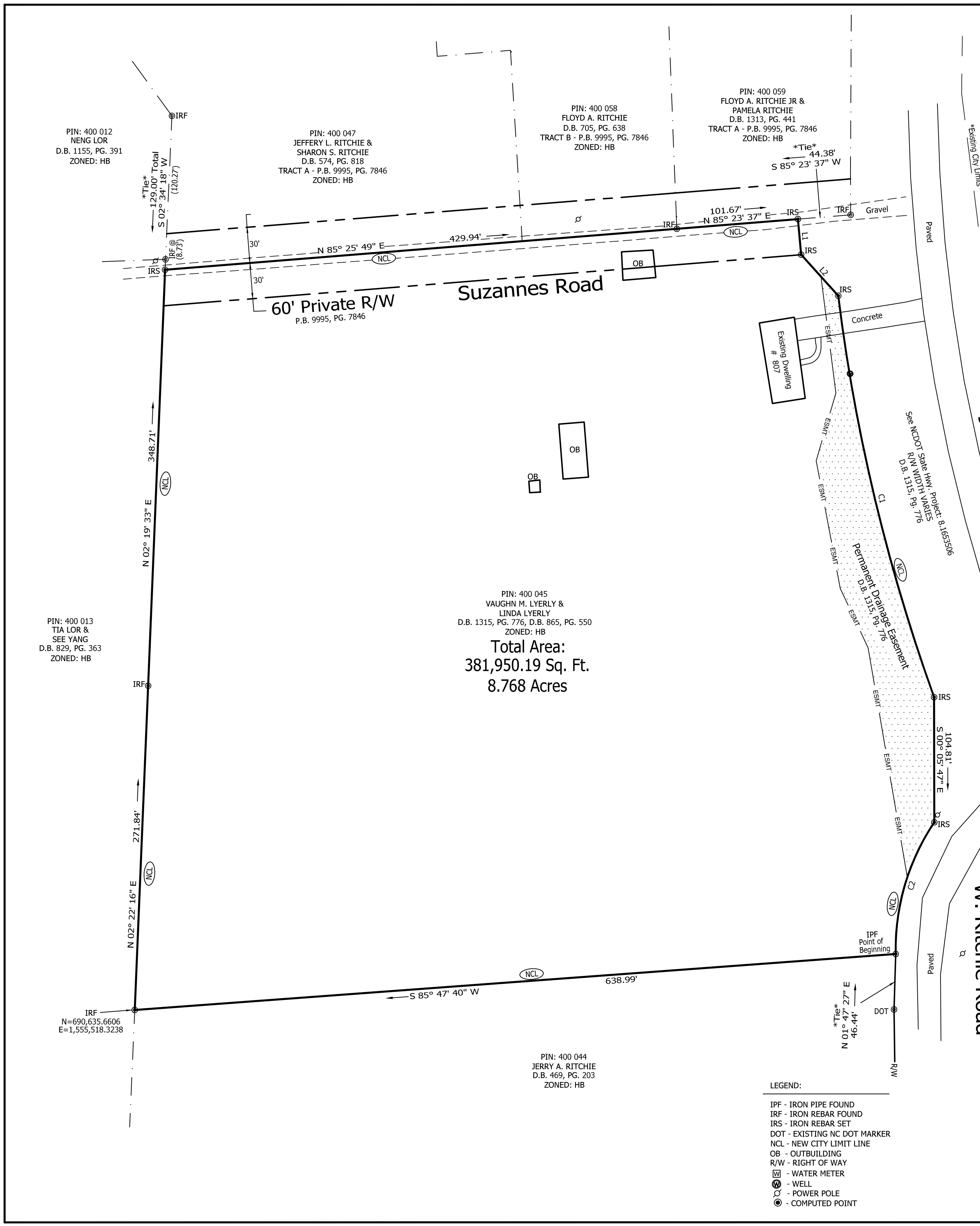
Form Revised 2-08

Contact Person Brian Graham Telephone Number 704.343.0608 x329

For Office Use Only:

Total number of parcels 1 Number Signed 1 % Signed 100 Date Returned 3/23/23
Contiguous per GS 160A-31 or Non-contiguous "satellite" per GS 160A-58 _____ (check one)

CITY OF SALISBURY



PIN: 400 012
NENG LOR
D.B. 1155, PG. 391
ZONED: HB

PIN: 400 047
JEFFERY L. RITCHIE &
SHARON S. RITCHIE
D.B. 574, PG. 818
TRACT A - P.B. 9995, PG. 7846
ZONED: HB

PIN: 400 058
FLOYD A. RITCHIE
D.B. 705, PG. 638
TRACT B - P.B. 9995, PG. 7846
ZONED: HB

PIN: 400 059
FLOYD A. RITCHIE JR &
PAMELA RITCHIE
D.B. 1313, PG. 441
TRACT A - P.B. 9995, PG. 7846
ZONED: HB

PIN: 400 013
TIA LOR &
SEE YANG
D.B. 829, PG. 363
ZONED: HB

PIN: 400 045
VAUGHN M. LYERLY &
LINDA LYERLY
D.B. 1315, PG. 776, D.B. 865, PG. 550
ZONED: HB

Total Area:
381,950.19 Sq. Ft.
8.768 Acres

PIN: 400 044
JERRY A. RITCHIE
D.B. 469, PG. 203
ZONED: HB

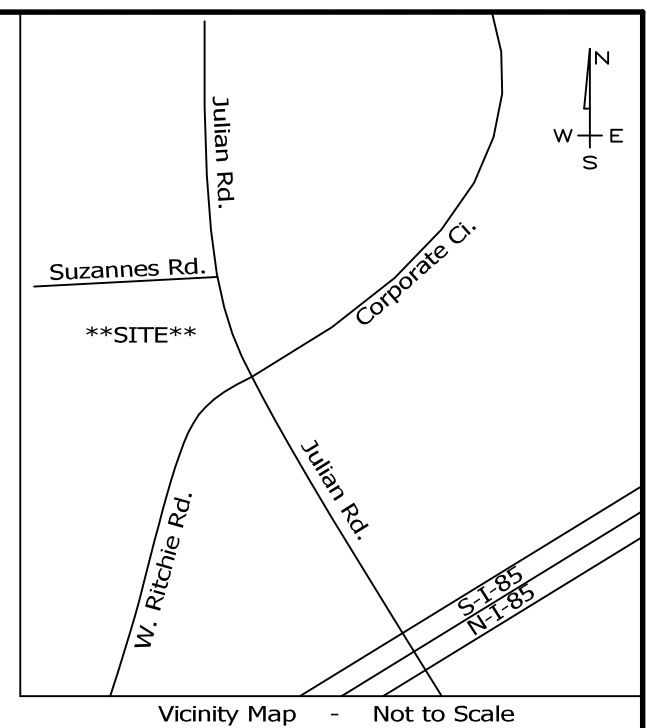
- LEGEND:**
- IPF - IRON PIPE FOUND
 - IRF - IRON REBAR FOUND
 - IRS - IRON REBAR SET
 - DOT - EXISTING NC DOT MARKER
 - NCL - NEW CITY LIMIT LINE
 - OB - OUTBUILDING
 - R/W - RIGHT OF WAY
 - ◻ - WATER METER
 - ⊙ - WELL
 - ⊙ - POWER POLE
 - ⊙ - COMPUTED POINT

CERTIFICATE OF ANNEXATION
Area annexed into the corporate limits of the City of Salisbury, NC by Ordinance Number adopted by the City Council on with an effective date of . I hereby certify that this plat has been approved for recording in the Register of Deeds in Rowan County.

Mayor _____ Date _____

STATE OF NORTH CAROLINA
COUNTY OF ROWAN
I, Review Officer of Rowan County Certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer _____ Date _____



LINE	BEARING	DISTANCE
L1	N 05° 17' 36" W	29.88'
L2	N 42° 00' 31" W	46.40'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	346.35'	1,555.00'	12°45'42"	S 13° 25' 43" E	345.64'
C2	116.82'	190.09'	35°12'44"	S 16° 18' 50" W	114.99'

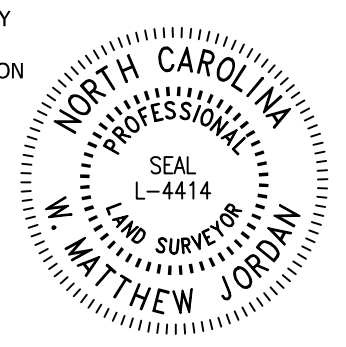
NOTES:

1. THE SURVEYED IMPROVEMENTS DO NOT LIE WITHIN A FLOOD HAZARD AREA AS DETERMINED BY FLOOD MAP 37105659003, EFFECTIVE DATE 6/16/2009.
2. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS OR RIGHT OF WAYS OF RECORD WHICH MAY EXIST ACROSS SAID PROPERTY.
3. IRON PINS ARE SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
4. THE SURVEYED PROPERTY IS ZONED HB (CITY OF SALISBURY ZONING)
5. THE SURVEYED PROPERTY DOES NOT LIE WITHIN THE U.S. DEPARTMENTS OF INTERIOR'S NATIONAL REGISTER OF HISTORIC PLACES.
6. THE PURPOSE OF THIS PLAT IS FOR THE PROPOSED ANNEXATION OF PIN: 400 045 INTO THE CITY OF SALISBURY CORPORATE LIMITS.

THIS ANNEXATION MAP IS EXEMPT FROM THE PROVISIONS OF G.S. 47-30, PLATS AND SUBDIVISIONS; MAPPINGS REQUIREMENTS, ACCORDING TO SUBSECTION (J) OF SAID STATUTE. IT IS THE INTENT OF THIS MAP TO DEPICT THE NEW CITY LIMITS OF THE CITY OF SALISBURY FOLLOWING THE EXISTING BOUNDARIES OF THE PARCEL(S) SHOWN HEREON AND DESCRIBED IN THE CORRESPONDING ORDINANCE.

Preliminary - Not For Recording - 02-15-23

W. MATTHEW JORDAN
SURVEYOR REG. NO.: L-4414



OWNERS:
LINDA M. VAUGHN &
LINDA LYERLY
132 WOODLAND DRIVE
SALISBURY, N.C. 28146

JORDAN GRANT
ENGINEERING • SURVEYING • PLANNING
JORDAN GRANT & ASSOCIATES, PLLC
P.O. BOX 151 * STATESVILLE, NC 28687
matt.grant@jordan-grant.com (704) 928-7919
FIRM # P-1227

Contiguous Annexation Plat For: Town of Salisbury	
DRAWN BY: SMS	CHECKED BY: WMJ
SCALE: 1"=60'	
DEED REF: 1315-776, 865-550	PIN NO: 400 045
DATE OF MAP: 01-09-23	SURVEY DATE: 12-21-22
REVISION:	DRAWING FILE: 20221211-ANX
807 JULIAN ROAD - SALISBURY, N.C. 28147 SALISBURY TOWNSHIP --- ROWAN COUNTY --- NORTH CAROLINA	

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: Salisbury-Rowan Utilities

Name of Presenter(s): Jason Wilson

Requested Agenda Item: Water & Sewer Maintenance Contract – Change Order #2

Description of Requested Agenda Item: Salisbury-Rowan Utilities (SRU) opened two (2) bids on June 25, 2022 from qualified service providers for the SRU Water & Sewer Maintenance Contract. Mainlining America, LLC submitted the lowest bid in the amount of \$459,833.85, and was awarded a contract by City Council at the August 16, 2022 meeting. Since that time, Mainlining America has completed numerous work orders for SRU, including scheduled and after-hours repairs, in addition to water and sewer taps. Council previously approved Change Order #1 in the amount of \$450,000. That amount has nearly been expended and additional funds need to be allocated to allow Mainlining America to continue assisting SRU. SRU recommends approving Change Order #2 in the amount of \$400,000 to the contract with Mainlining America, LLC for water and sewer maintenance services.

Attachments: Yes No

Fiscal Note: Sufficient funds and salary savings from vacant SRU positions are available in the current FY23 budget to cover the cost of Change Order #2.

Action Requested of Council for Agenda Item: Council to consider approving Change Order #2 in the amount of \$400,000 to the contract with Mainlining America, LLC for water and sewer maintenance services for Salisbury-Rowan Utilities.

Contact Information for Group or Individual: Jason Wilson, Assistant Utilities Director
704-216-7553, jason.wilson@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:


Finance Manager Signature


Budget Manager Signature


Department Head Signature

All agenda items must be submitted at least 7 days before the requested Council meeting date

**SALISBURY-ROWAN UTILITIES
1 WATER STREET
SALISBURY, NORTH CAROLINA**

CONTRACT CHANGE ORDER

DATE: April 7, 2023

PROJECT NAME: Water & Sewer Maintenance Contract

OWNER: Salisbury-Rowan Utilities

CHANGE ORDER NO: 2

TO: (Contractor) Mainlining America LLC

You are hereby requested to make the following changes in this contract in compliance with the provisions of the attached and/or original Contract Documents.

Item No.	Description of Changes	Additions	Deductions
1	Owner to add additional funding to continue Water & Sewer maintenance work	\$400,000	

Original Contract Amount	<u>\$ 459,833.85</u>
Net Change by Previous Change Orders	<u>\$ 450,000.00</u>
Net Change this Change Order	<u>\$ 400,000.00</u>
New Contract Amount	<u>\$ 1,309,833.85</u>

RECOMMENDED FOR ACCEPTANCE:

BY: _____ Date: _____
ACCEPTED: CONTRACTOR:

BY: _____ Date: _____
ACCEPTED: OWNER

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: City Engineering

Name of Presenter(s): Wendy Brindle, City Engineer

Requested Agenda Item: Request from Spectrum for encroachment on Cedar Springs Road and Circle M Drive

Description of Requested Agenda Item: Spectrum requests approval of installation of approximately 2,885 linear feet of directional bored duct within the rights-of-way of Cedar Springs Road and Circle M Drive. City Council approval of encroachments is required by Section 11-24 (27) of the City Code. NCDOT must also approve these encroachments, as both roads are maintained by the state.

Staff review included input from Engineering, Public Works and Salisbury-Rowan Utilities. Staff recommends approval subject to the following conditions:

- All improvements and restoration shall be made at no expense to the City.
- A \$5,000 bond will be required prior to construction within the City Limits.
- A pre-construction meeting will be required prior to construction.
- On-site inspection will be required during all critical street crossings.
- Any markers for underground facilities shall be flush with the ground.
- Lane closures shall be coordinated through Engineering.
- Spectrum shall participate with the State's one-call locating program, and appropriate locator tape shall be installed to facilitate future field location. SRU requires that all new facilities maintain a clear horizontal separation of at least 48" (measured edge to edge) from existing utilities, and a clear vertical separation of at least 24" from existing utilities. All crossings must be identified/potholed prior to excavation.
- Engineering "as-built" plans shall be maintained by Spectrum and made available to the City upon request.
- If the City (or State) makes an improvement to the public Right-of-Way, Spectrum facilities shall be adjusted or relocated at no expense to the City (or State).

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

There is no budgetary impact on this item.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Salisbury City Council Agenda Item Request Form



City Council to consider approval of a right-of-way encroachment for approximately 2,885 linear feet of underground fiber optic cable by Spectrum on Cedar Springs Road and Circle M Drive per Section 11-24 (27) of the City Code, subject to NCDOT approval

Contact Information for Group or Individual: Wendy Brindle 704-638-5201, Barry King 704-216-2712

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

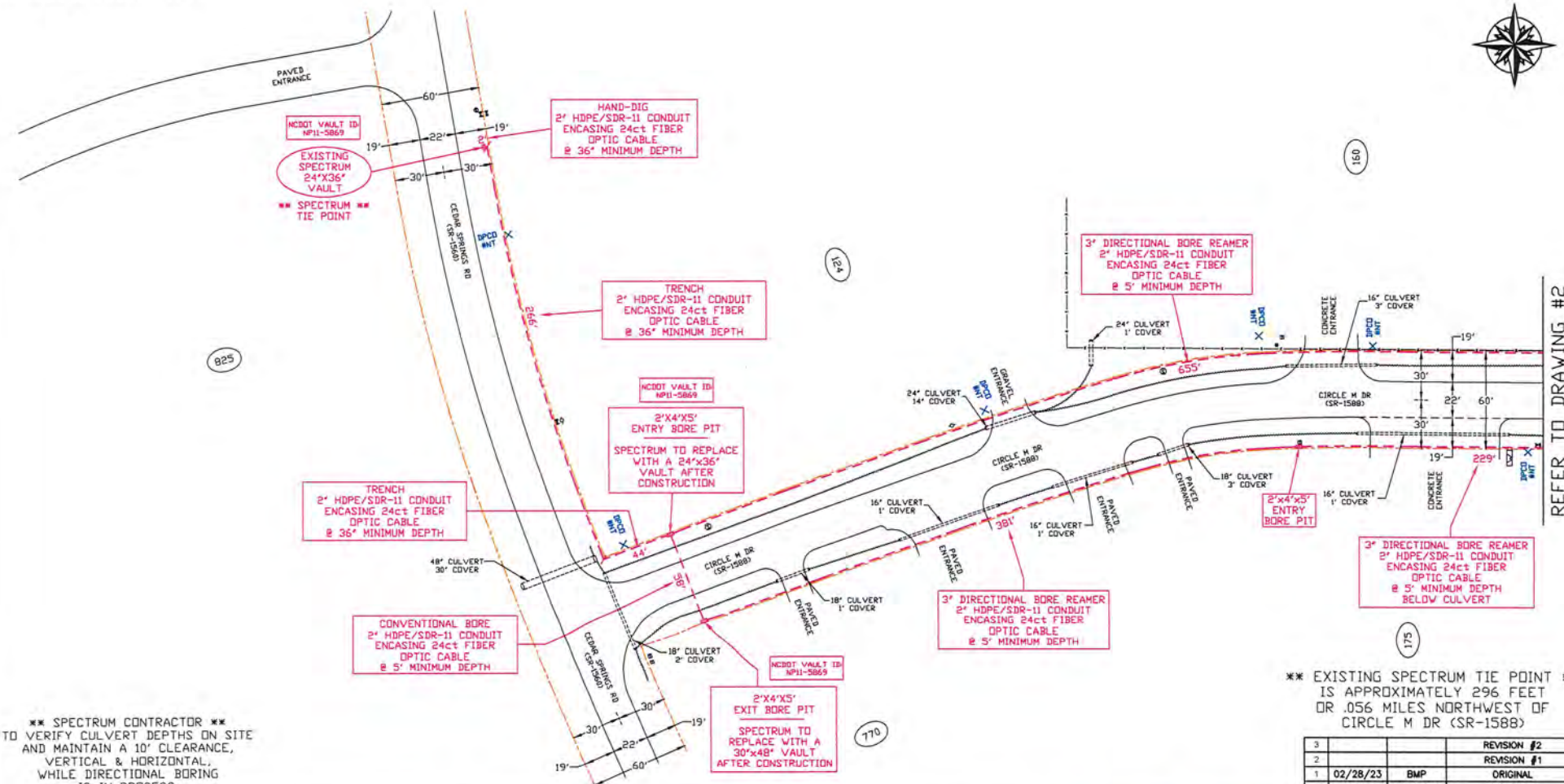
Approved

Delayed

Declined

Reason:

DRAWING #1



*** SPECTRUM CONTRACTOR ***
 TO VERIFY CULVERT DEPTHS ON SITE
 AND MAINTAIN A 10' CLEARANCE,
 VERTICAL & HORIZONTAL,
 WHILE DIRECTIONAL BORING
 IS IN PROCESS.

*** EXISTING SPECTRUM TIE POINT ***
 IS APPROXIMATELY 296 FEET
 OR .056 MILES NORTHWEST OF
 CIRCLE M DR (SR-1588)

REFER TO DRAWING #2

NOTES	
- PROPOSED CATV TO BE PLACED 3' DEEP UNLESS OTHERWISE NOTED.	- TOTAL CABLE FOOTAGE IS 1635 FT OR .310 MILES.
- PROPOSED CATV TO BE PLACED INSIDE NCDOT RIGHT OF WAY UNLESS OTHERWISE NOTED.	- RIGHT OF WAY INFO OBTAINED FROM ROWAN COUNTY GIS.
- ALL BORE PITS TO BE A MAXIMUM OF 5' DEEP.	- NO EXCAVATION WITHIN THE CLEAR RECOVERY ZONE SHALL BE LEFT OPEN OVERNIGHT.

LEGEND	
PROPOSED SPECTRUM AERIAL	NCDOT RIGHT OF WAY
PROPOSED SPECTRUM UNDERGROUND	CITY RIGHT OF WAY
EXISTING UTILITY POLES	CULVERT
PROPOSED SPECTRUM VAULT	DITCH LINE
PROPOSED SPECTRUM PEDESTAL	FENCE
TRANSFORMER	GUARDRAIL
EXISTING VAULT	PHONE MANHOLE
PHONE PEDESTAL	CATCH BASIN
FIRE HYDRANT	GAS VALVE
LIGHT POLE	WATER VAULT
GAS MARKER	WATER METER
SHRUBS/HEDGES	TREE

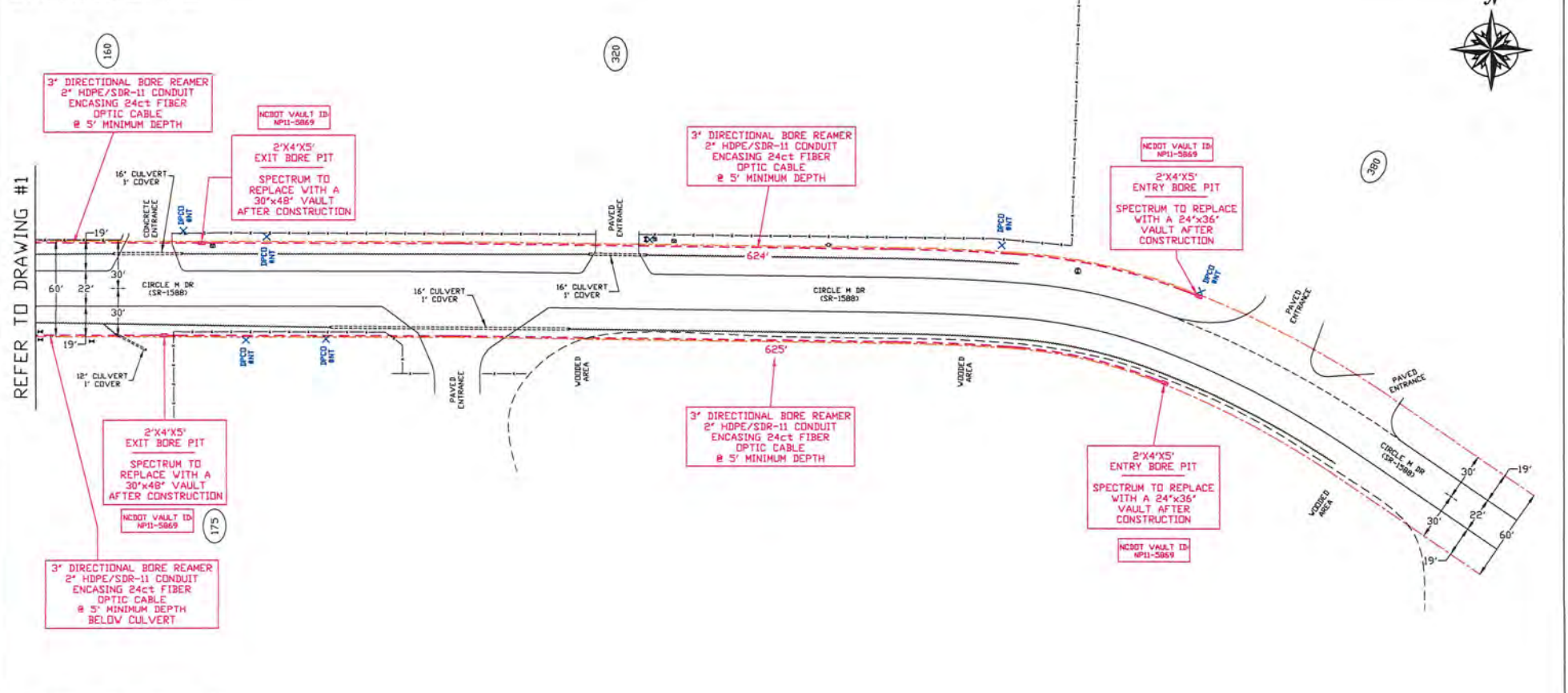
Spectrum

DRAWING PREPARED BY: TELICS
 3440 LAKEMONT BLVD.
 FORT MILL, SC, 29708
 (980)-721-4667

SCALE 1:60	APPROVED BY	ATTENTION ANGIE JEWETT
380 CIRCLE M DR (PID #4326446)		
(ROWAN NCDOT STATE PERMIT)		

REVISION #2		
3		
2		
1	02/28/23	BMP ORIGINAL
NO.	DATE	DRAFTER COMMENT

DRAWING #2



*** SPECTRUM CONTRACTOR ***
 TO VERIFY CULVERT DEPTHS ON SITE
 AND MAINTAIN A 10' CLEARANCE,
 VERTICAL & HORIZONTAL,
 WHILE DIRECTIONAL BORING
 IS IN PROCESS.

NOTES		LEGEND		Spectrum	
- PROPOSED CATV TO BE PLACED 3' DEEP UNLESS OTHERWISE NOTED.	- TOTAL CABLE FOOTAGE IS 1242FT OR 23.6 MILES.	PROPOSED SPECTRUM AERIAL	NCDOT RIGHT OF WAY	DRAWING PREPARED BY: TELICS 3440 LAKEMONT BLVD. FORT MILL, SC, 29708 (980)-721-4667	
- PROPOSED CATV TO BE PLACED INSIDE NCDOT RIGHT OF WAY UNLESS OTHERWISE NOTED.	- RIGHT OF WAY INFO OBTAINED FROM ROWAN COUNTY GIS.	PROPOSED SPECTRUM UNDERGROUND	CITY RIGHT OF WAY		
- ALL BORE PITS TO BE A MAXIMUM OF 5' DEEP.	- NO EXCAVATION WITHIN THE CLEAR RECOVERY ZONE SHALL BE LEFT OPEN OVERNIGHT.	EXISTING UTILITY POLES	CULVERT	ATTENTION ANGIE JEWETT	
		PROPOSED SPECTRUM VAULT	DITCH LINE		
		PROPOSED SPECTRUM PEDESTAL	FENCE	380 CIRCLE M DR (PID #4326446) (ROWAN NCDOT STATE PERMIT)	
		TRANSFORMER	GUARDRAIL		
		EXISTING VAULT	SEWER MANHOLE		
		PHONE MANHOLE	PHONE PEDESTAL		
		FIRE HYDRANT	WATER VAULT		
		LIGHT POLE	CATCH BASIN		
		GAS VALVE	WATER METER		
		GAS MARKER	SHRUBS/HEDGES		
		TREE			

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: Salisbury Fire Department

Name of Presenter(s): City Attorney Graham Corriher

Requested Agenda Item: Fire Fighters Social Security Vote

Description of Requested Agenda Item: Salisbury firefighters have expressed an interest in participating in Social Security. As background, Salisbury firefighters are the only group of City employees that are not participants in the Social Security system. In order for Salisbury firefighters to participate in Social Security, there is a process to follow that includes a referendum vote and requires a majority of firefighters to support participating in Social Security. City staff has met with the State and Federal Social Security Administrators to better understand the procedural requirements of the vote and is now prepared to conduct the referendum vote. Among other requirements, the City must provide at least 90-days' written notice to firefighters prior to the vote. City staff, with the support of City Council, is prepared to begin that process and conduct the vote as expeditiously as possible. In anticipation of the vote, City staff has also arranged for an official from the Social Security Administration to visit Salisbury and conduct two in-person educational sessions on participating in Social Security to the firefighters, which were held April 12, 2023.

One of the procedural requirements is for City Council to adopt a resolution committing to provide financial support for Salisbury firefighters to participate in Social Security in the event of a successful referendum vote. Salisbury City Council adopted a similar resolution in 2021. This resolution reaffirms the prior resolution and shows that City Council remains supportive of its firefighters' choosing whether or not to participate in Social Security.

Attachments: Yes No

Fiscal Note:

Action Requested of Council for Agenda Item: Council to consider adopting a Resolution reaffirming its support of conducting a referendum vote for Firefighter participation in Social Security.

Contact Information for Group or Individual: City Attorney Graham Corriher
graham.corriher@salisburync.gov (704) 638-5309

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Salisbury City Council Agenda Item Request Form



Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:



City of Salisbury
North Carolina

**RESOLUTION IN SUPPORT OF REFERENDUM FOR FIREFIGHTER
PARTICIPATION IN SOCIAL SECURITY**

WHEREAS, local government employee participation in the Old-Age, Survivors, and Disability Insurance program administered by the Social Security Administration (“Social Security”) is governed by an agreement between the State of North Carolina and the United States Social Security Administration known as a “Section 218 Agreement”; and

WHEREAS, pursuant to the Section 218 Agreement, Salisbury firefighters do not participate in Social Security; and

WHEREAS, Salisbury firefighters, like all other full-time Salisbury city employees, participate in the Local Governmental Employees’ Retirement System (“LGERS”), and that participation is not affected by any action taken as a result of this Resolution;

WHEREAS, in order that firefighters might participate in Social Security, the Section 218 Agreement must be amended by a referendum vote of eligible firefighters; and

WHEREAS, many Salisbury firefighters have expressed an interest in participating in Social Security; and

WHEREAS, the Salisbury City Council supports participation in Social Security and supports allowing Salisbury firefighters to participate in a referendum to determine coverage under Social Security; and

WHEREAS, the Salisbury City Council is willing to provide for the financial contribution required by law in the event the referendum is approved allowing firefighters to participate in Social Security; and


WHEREAS, any referendum vote is required to be conducted in accordance with applicable law, including rules, regulations, policies, and procedures required by the Social Security Administration and the North Carolina State Social Security Administrator.

NOW, THEREFORE, BE IT RESOLVED by the Salisbury City Council as follows:


1. The City Attorney is directed to work with the United States Social Security Administration and the North Carolina State Social Security Administrator and is authorized to prepare, approve, execute, and submit, on behalf of the City, any applications or documents required to begin the process to allow Salisbury firefighters to participate in a referendum vote to determine coverage under and participation in Social Security.

2. The City Attorney is authorized to take any other action reasonably necessary to effect the intent of this Resolution.

Adopted this 7th day of December 2021.

A handwritten signature in blue ink, appearing to read "K. K. Alexander", written over a horizontal line.

Karen K. Alexander, Mayor

A handwritten signature in blue ink, appearing to read "Kelly Baker", written over a horizontal line.
Kelly Baker, City Clerk

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18th, 2023

Name of Group(s) or Individual(s) Making Request: Public Works

Name of Presenter(s): Michael Hanna, Interim Assistant Public Works Director

Requested Agenda Item: Resolution of Support for NCDEQ Local Assistance for Stormwater Infrastructure Investments Fund (ARPA stormwater grant)

Description of Requested Agenda Item: City of Salisbury Stormwater Services in conjunction with Withers Ravenel, are in the process of drafting a NCDEQ LASII grant application, to conduct a Stormwater Infrastructure Condition Assessment on the ageing infrastructure within the City of Salisbury. This non-matching grant, if awarded, will make a significant impact on future stormwater CIP projects and water quality initiatives. The grant is envisioned to reduce the overall cost associated the planning and design of future projects.

Resolutions of support is a requirement of NCDEQ for the application for the LASII grant. A proposed Resolution of Support from Salisbury's City Council is attached for consideration.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item:

City Council to adopt of a Resolution of Support for an application for the NCDEQ Local Assistance for Stormwater Infrastructure Investments Fund grant program.

Contact Information for Group or Individual: Michael Hanna, Interim Assistant Public Works Director, mhann@salisburync.gov, 704-216- 8028

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Salisbury City Council Agenda Item Request Form



Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The City of Salisbury has need for and intends to construct, plan for, or conduct a study in a project described as City of Salisbury Stormwater Infrastructure Condition Assessment, and

WHEREAS, The City of Salisbury intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SALISBURY:

That City of Salisbury, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Salisbury to make a scheduled repayment of the loan, to withhold from the City of Salisbury any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

If applying for a regional project, that the **Applicant** will partner and work with other units of local government or utilities in conducting the project.

That Michael Hanna, Public Works Environmental Division Manager, the **Authorized Representative** and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Representative**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 18th day of April 2023.

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting Mayor of the City of Salisbury does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City of Salisbury duly held on the 18th day of April, 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of April, 2023.

Karen K. Alexander, Mayor

ATTEST:

Connie B. Snyder, City Clerk

[SEAL]

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: Scott Shelton

Name of Presenter(s):

Requested Agenda Item: Council to hold a public hearing to consider a revised economic incentive grant for Crow Holdings.

Description of Requested Agenda Item: At its February 7th meeting, City Council approved an incentive request from Crow Holdings Development for a speculative building project on a site located between Peeler Road and Pietyrk Road. During the meeting, plans for Crow's two Class A industrial buildings on the site were discussed. The first building would be approximately 700,000 square feet and the second would be approximately 500,000 square feet. Crow's total capital investment into the project was estimated to be \$73 million.

That night, the City Council approved a three-year incentive grant for Crow that is equal to 90% of the new taxes on real property. It has been confirmed with the EDC that the \$73 million capital investment by the company is for the 700,000 square foot building only, not both buildings. The second building will require additional investment by Crow.

Due to this, the EDC requests that the City Council schedule a public hearing for April 18th to consider a revision to the incentive originally approved for the project. The proposed revision would clarify that the three-year incentive grant for \$73 million of new investment is for the first building only. Crow would then return to Council at a later date to request a separate incentive for the second building.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: Council to consider a revised economic incentive grant request for Crow Holdings consisting of a local Level 2 Incentive grant totaling approximately \$1.4 million over a three year period for construction of a 700,000 square foot building with a \$73 million capital investment by the company. *(Please note if item includes an ordinance, resolution or petition)*

Contact Information for Group or Individual: Scott Shelton

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

Salisbury City Council Agenda Item Request Form



FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*******All agenda items must be submitted at least 7 days before the requested Council meeting date*******

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

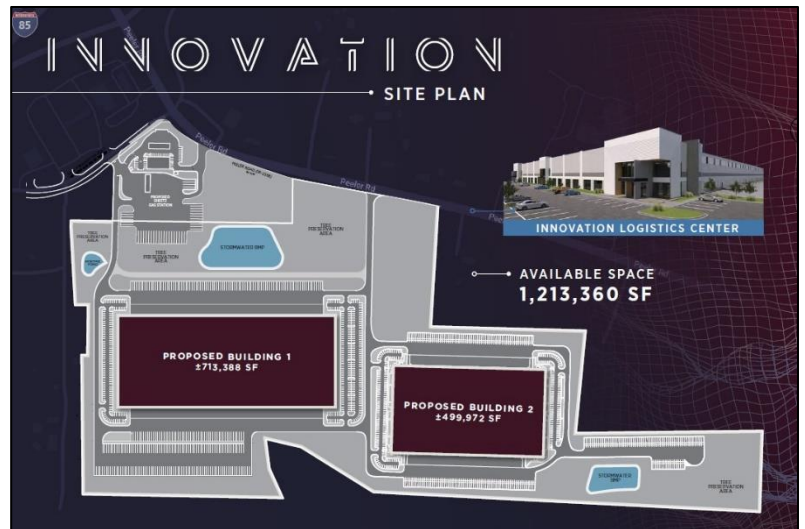
Memorandum

Date: April 3, 2023

To: Salisbury City Council
Cc: Jim Greene, City Manager
Connie Snyder, City Clerk
From: Scott Shelton, Vice President
Re: *Summary of proposed incentive revision with Crow Holdings*

Dear Mayor Alexander and Council Members,

At your February 7th meeting, Council approved an incentive request from Crow Holdings Development (Crow) for a speculative building project on a site located between Peeler Road and Pietyrk Road. As you will recall, during the meeting, we discussed Crow's plans for two Class A industrial buildings on the site. The first building would be approximately 700,000 square feet and the second would be approximately 500,000 square feet. Crow's total capital investment into the project was estimated to be \$73 million.



That night, the City Council approved a three-year incentive grant for Crow that is equal to 90% of the new taxes on real property. We now understand that the \$73 million capital investment by the company is only for the 700,000 square foot building and not both. The second building will require additional investment by Crow.

Due to this, the EDC requests that, after the public hearing is held, Council approve a revision to the incentive originally approved for the project. The proposed revision would clarify that the three-year incentive grant for \$73 million of new investment is only for the first building. Crow would then return to Council at a later date to request a separate incentive for the second building.

We are not requesting that any other terms of the approved incentive change. The \$73 million taxable investment by the Company would still result in a tax incentive grant valued at \$1.4 million paid out over a three-year period. The City of Salisbury would also receive \$3.8 million in net revenue over a ten-year period.



PARTNERSHIP for ECONOMIC DEVELOPMENT
SALISBURY, NC

Be an original.

		Year 1	Year 2	Year 3	Year 4	Year 5
Total Capital Investment	Total planned amount of Expansion project	\$73,000,000	\$73,000,000	\$73,000,000	\$73,000,000	\$73,000,000
City Tax Rate	0.7196%	0.7196%	0.7196%	0.7196%	0.7196%	0.7196%
City Tax Revenue	Local Taxable Capital Investment times City Tax Rate	\$525,308	\$525,308	\$525,308	\$525,308	\$525,308
Expansion Grant %	80% for 5 years.	80%	80%	80%	80%	80%
Expansion Grant %	City Tax Revenue times Expansion Grant	\$420,246	\$420,246	\$420,246	\$420,246	\$420,246
City Net Revenue	City Tax Revenue minus Expansion Grant	\$105,062	\$105,062	\$105,062	\$105,062	\$105,062

	Year 6	Year 7	Year 8	Year 9	Year 10	Totals
Total Capital Investment	\$73,000,000	\$73,000,000	\$73,000,000	\$73,000,000	\$73,000,000	\$73,000,000
City Tax Rate	0.7196%	0.7196%	0.7196%	0.7196%	0.7196%	0.7196%
City Tax Revenue	\$525,308	\$525,308	\$525,308	\$525,308	\$525,308	\$5,253,080
Expansion Grant %						
Expansion Grant %	\$0	\$0	\$0	\$0	\$0	\$1,418,332
City Net Revenue	\$525,308	\$525,308	\$525,308	\$525,308	\$525,308	\$3,834,748

We feel it is important to note that, since the \$73 million investment is only for the first building, there is the potential for tens of millions of dollars of additional investment by Crow into a second building which will lead to further growth in the City's tax base.

Thank you for considering this request. We have the opportunity to partner with a company whose investment should help us attract additional jobs and investment in the City of Salisbury. If approved, news of this project will resonate positively with other developers and companies that are considering Salisbury and will increase our reputation as a business-friendly community.

On behalf of the staff of the Rowan EDC, we look forward to providing you any additional information or meeting with you personally to discuss these findings in detail. Please do not hesitate to contact our office with any questions you may have regarding this matter. We look forward to your feedback.

Yours truly,

Scott Shelton
Vice President

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: Engineering Department

Name of Presenter(s): Wendy Brindle, City Engineer

Requested Agenda Item: Council to consider permanently closing an alley in the 400 block of East Council in accordance with NCGS 160A-299

Description of Requested Agenda Item:

On March 21, 2023, City Council adopted a resolution of intent to permanently close an unimproved alley in the 400 block of East Council Street. A public hearing was scheduled for April 18, 2023, and all notifications have been made to the public as required by state statutes.

Street and alley closings are regulated by General Statute 160A-299. In accordance with the statute, closing of a street must not be "contrary to the public interest", and no individual shall be "deprived of reasonable means of ingress and egress to his property" by the closing. Staff believes that these conditions have been satisfied.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

There will be no fiscal impact regarding this request

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Council to close an unimproved alley in the 400 block of East Council Street

- 1) Hold a public hearing
- 2) Adopt a Resolution accepting an offer of dedication for the right-of-way
- 3) Adopt an Order to close the unimproved alley in the 400 block of East Council Street

Contact Information for Group or Individual:

Wendy Brindle, City Engineer
704-638-5201/wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Declined

Reason:

RESOLUTION PERTAINING TO THE PROPOSED CLOSING OF AN ALLEY IN THE 400 BLOCK OF EAST COUNCIL STREET

WHEREAS, the City Council of the City of Salisbury is considering a proposal to close the following:

An unimproved alley in the 400 block of East Council Street, bounded by parcel 010-415 and 010-416

WHEREAS, the City Council of Salisbury has the authority to accept the dedication of the aforementioned alley for public use.

NOW, THEREFORE, be it resolved that the City Council accepts the offer of dedication for public use the aforementioned alley on this 18th day of April, 2023.

This 18th day of April, 2023.

CITY COUNCIL OF THE CITY OF SALISBURY,
NORTH CAROLINA

By: Connie B. Snyder, NCCP
City Clerk

STATE OF NORTH CAROLINA
COUNTY OF ROWAN

BEFORE THE CITY COUNCIL OF
THE CITY OF SALISBURY
NORTH CAROLINA

IN THE MATTER OF:

CLOSING AN UNIMPROVED
ALLEY IN THE 400 BLOCK OF EAST
COUNCIL STREET

**ORDER CLOSING AN UNIMPROVED
ALLEY IN THE 400 BLOCK OF EAST
COUNCIL STREET**

THIS CAUSE, coming on to be heard and being heard before the City Council of the City of Salisbury, Rowan County, North Carolina, at the regular meeting of said Council held on April 18, 2023 at 6:00 p.m., and it appearing to the Council that persons, firms, and corporations owning property adjoining the alley described in the Petition filed in this cause were properly notified of the Petition; and it further appearing that said alley is not maintained by the Department of Transportation; and it further appearing that notice of this hearing was duly published in THE SALISBURY POST on March 26, April 2, 9 and 16, 2023.

And it further appearing to the Council and the Council finding as a fact, that the closing of the alley, as described in the Petition filed in this cause, is not contrary to the public interest or the property rights of any individual, and that no individual owning property in the vicinity of said alley or in the subdivision in which they are located will be deprived of reasonable means of ingress and egress to his property by the closing of said alley; and it further appearing to this Council that the relief prayed in the Petition should be granted.

IT IS NOW, THEREFORE, ORDERED AND DECREED by the City Council of the City of Salisbury, Rowan County, North Carolina, pursuant to and in accordance with the authority vested in this Council by the General Statutes of North Carolina, Section 160A-299, that an unimproved alley located in the 400 block of East Council Street, which is more particularly described as follows:

An unimproved alley in the 400 block of East Council Street, bounded by parcels 010-415 and 010-416

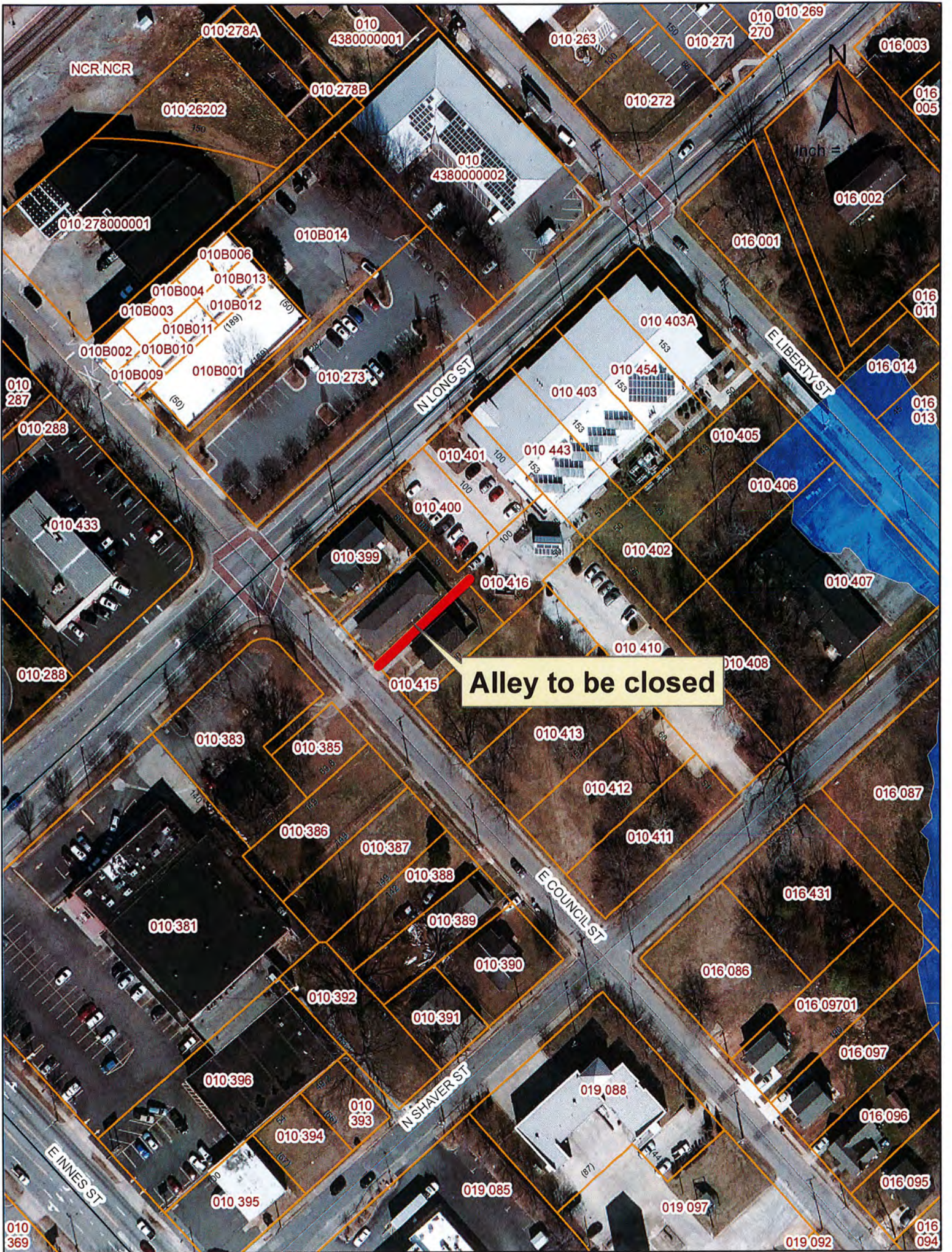
Be and the same is hereby forever **CLOSED**.

This the 18th day of April, 2023.

CITY COUNCIL OF THE CITY OF SALISBURY,
NORTH CAROLINA

BY: _____
Karen K. Alexander, Mayor

Connie B. Snyder, NCCP
City Clerk



Alley to be closed



PETITION TO CLOSE A STREET OR ALLEY

We the undersigned, being the owners of real property adjoining a street or alley as shown on Tax Map 010, do hereby petition the City Council of Salisbury, North Carolina to permanently close a street or alley pursuant to the North Carolina General Statutes, Section 160A-299. The street or alley to be closed can be generally described as follows:

A 5 foot by 100 foot alley between parcel numbers 010 415 and 010 416 as shown on Exhibit A

GS 160A-299 may be found on the internet at:
www.ncga.state.nc.us/Statutes/GeneralStatutes/HTML/BySection/Chapter_160A/GS_160A-299.html

By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must contain the signatures of all owners of property adjacent to the street or alley.
2. The petition must include a recorded map or preliminary survey showing the portion of street or alley to be closed. Any preliminary survey shall be prepared for recordation after consultation with the City. A tax map is not sufficient.
3. The petition must include a description prepared from a survey or recorded map. A metes and bounds description may be required.
4. The petition must include a filing fee in the amount of \$500.00.
5. If public or private utilities are located in the street or alley, the map and description must provide acceptable easements for the utilities. Any costs associated with preparing the easements will be the responsibility of the petitioner(s).
6. If curb and gutter must be replaced to close the street or alley, the cost of the curb and gutter will be the responsibility of the petitioner(s).
7. It typically takes approximately eight weeks for the closing to become official.

Shelter Ministries of Rowan County [Signature] 010 415 & 416 10/29/2021
Printed Name Signature Tax Map & Parcel Date

Printed Name Signature Tax Map & Parcel Date

Printed Name Signature Tax Map & Parcel Date

Printed Name Signature Tax Map & Parcel Date
(Attach additional petition forms if needed) Form Revised 11-01

Contact Person Glenn Ketner Telephone Number (704) 637-3434

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: Engineering Department

Name of Presenter(s): Wendy Brindle, City Engineer

Requested Agenda Item: Council to receive an update from staff regarding downtown street lights and the mast arm at Innes and Church Streets

Description of Requested Agenda Item:

In February 2022, the mast arm pole supporting the traffic signals for westbound traffic on Innes Street at Church Street was hit and damaged by a vehicle. Since downtown mast arms are leased through Duke Energy, the City, NCDOT and Duke Energy assessed the stability of the damaged mast arm. Subsequently, NCDOT approved the placement of a temporary pole by Duke Energy to support the damaged mast arm until a replacement could be obtained. Duke Energy worked with City staff for loading and design of the new mast arm, and are now ready to pour the new concrete base. Once poured, the base must cure for four weeks before placement of the pole. During this time, the City must install new conduit beneath Church Street to pull wires necessary to serve the signals on the new mast arm. The cost of the conduit will be paid upfront by the City, and billed to the insurance of the driver that damaged the pole. Cost may be available by the April 18th Council meeting. Engineering staff will also work with Communications and DSI to ensure citizens are informed of any lane/street closures necessary to perform the mast arm replacement.

In addition to the mast arm, Duke Energy has also worked with City staff and developed a plan for painting the Duke Energy leased lighting within downtown. As shown on the attached drawing, Duke Energy plans to paint the poles in three phases beginning in May 2023. Phases two and three will be in subsequent years. Poles along Main Street are within the last phase of painting, as Duke Energy is aware of the upcoming Main Street plan, which will replace these facilities. At the same time, Duke Energy is investigating repair/replacement of damaged and missing street lights to provide options that match existing pole and truss arm styles, which are no longer available. Staff will share updates with Council as they become available.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

There is no budgetary impact on this item.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*
For information only

Contact Information for Group or Individual:

Wendy Brindle, City Engineer 704-638-5201 or wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

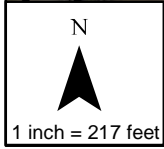
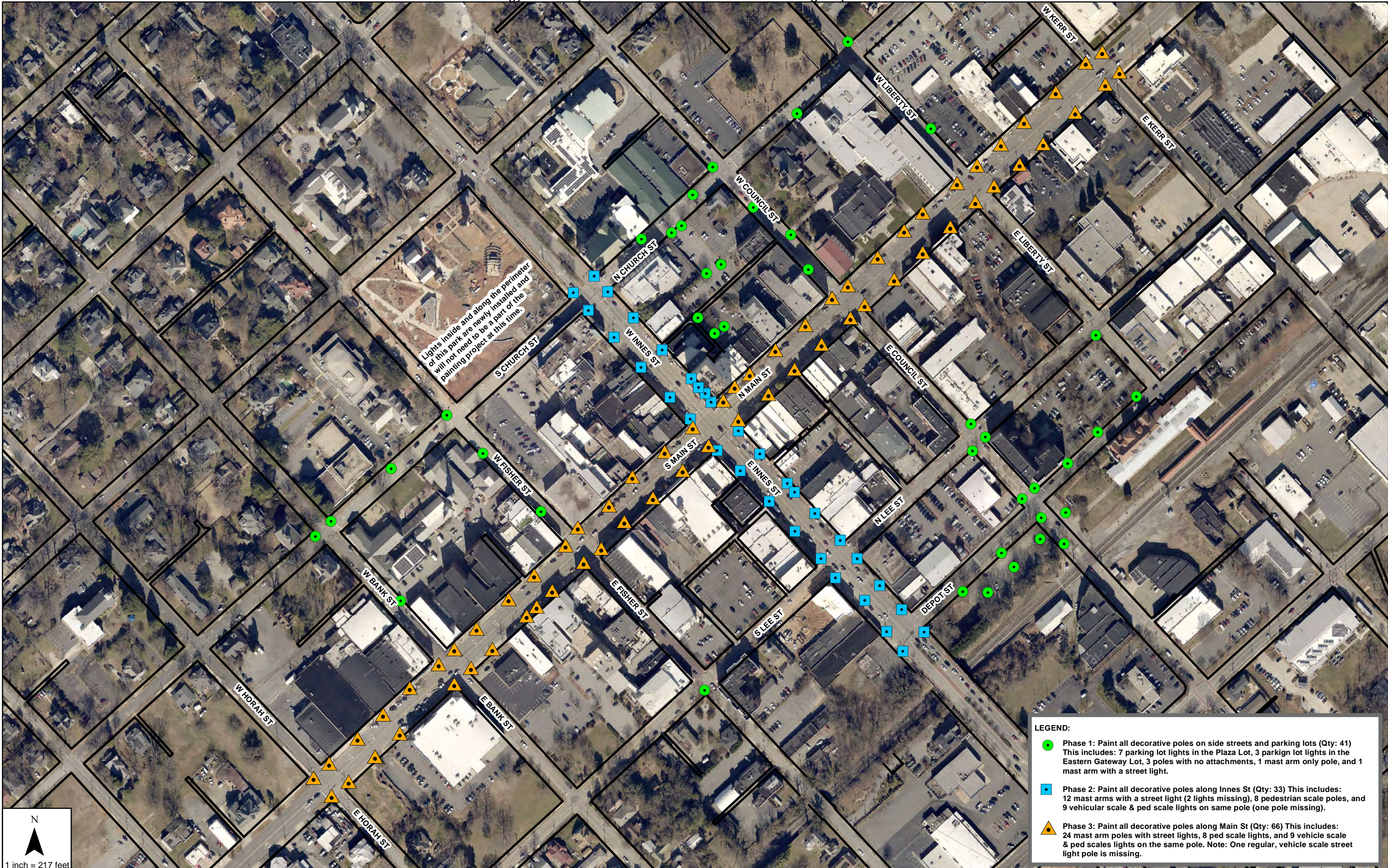
For Use in Clerk's Office Only

Approved

Declined

Reason:

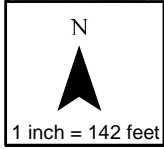
Duke Energy Salisbury's Downtown Decorative Pole Painting Map



LEGEND:

- Phase 1: Paint all decorative poles on side streets and parking lots (Qty: 41) This includes: 7 parking lot lights in the Plaza Lot, 3 parking lot lights in the Eastern Gateway Lot, 3 poles with no attachments, 1 mast arm only pole, and 1 mast arm with a street light.
- Phase 2: Paint all decorative poles along Innes St (Qty: 33) This includes: 12 mast arms with a street light (2 lights missing), 8 pedestrian scale poles, and 9 vehicular scale & ped scale lights on same pole (one pole missing).
- ▲ Phase 3: Paint all decorative poles along Main St (Qty: 66) This includes: 24 mast arm poles with street lights, 8 ped scale lights, and 9 vehicle scale & ped scales lights on the same pole. Note: One regular, vehicle scale street light pole is missing.

Missing Duke Energy Street Lighting Facilities



Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18th, 2023

Name of Group(s) or Individual(s) Making Request: Public Works

Name of Presenter(s): Chris Tester and Donald Hamilton (Duke Energy)

Requested Agenda Item: Duke Energy Park & Plug Program

Description of Requested Agenda Item: Duke Energy will provide an update on the Park & Plug Program agreement with the City of Salisbury to install an Electric Vehicle charging station in the municipal parking lot of 301 S Main Street.

Attachments: Yes No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

Action Requested of Council for Agenda Item:

Council to consider authorizing the City Manager to execute a Site Host Agreement with Duke Energy at no cost to the City.

Contact Information for Group or Individual: Chris Tester, Public Works Director, 704-216- 7554

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 04/18/2023

Name of Group(s) or Individual(s) Making Request: Engineering

Name of Presenter(s): Wendy Brindle, City Engineer

Requested Agenda Item: Council to approve easement documents for Project C-5603H, Sidewalk on Brenner Avenue from Statesville Boulevard to Horah Street, and Intersection Improvements at Brenner and Link Avenues

Description of Requested Agenda Item:

Council approved a municipal agreement with NCDOT in May 2018 for CMAQ funds for design, easement acquisition and construction of sidewalk on Brenner Avenue from Statesville Boulevard to Horah Street, along with intersection improvements at Brenner and Link Avenues (the main entrance to the VA Hospital). The project will utilize existing right-of-way on Brenner Avenue, but where necessary easements have been acquired in accordance with federal funding requirements. Easement types consist of temporary construction easements, permanent sidewalk easements and permanent drainage easements, as shown on the attached map recorded in Map Book 9995 Page 10446. Staff can move forward with recordation of easement documents and payment to property owners with approval from City Council. After recordation of easements, plans and bid documents will be finalized to move the project into the construction phase. We anticipate construction to begin summer of 2023, and will notify City Council and residents prior to construction beginning.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Funds for Project C-5603H are approved in the current budget and reimbursable at 80% through the CMAQ grant

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Council action will be to approve the easements for Project C-5603H, sidewalk on Brenner Avenue from Statesville Boulevard to Horah Street, and intersection improvements at Brenner and Link Avenues

Contact Information for Group or Individual:

Wendy Brindle, 704-638-5201
wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

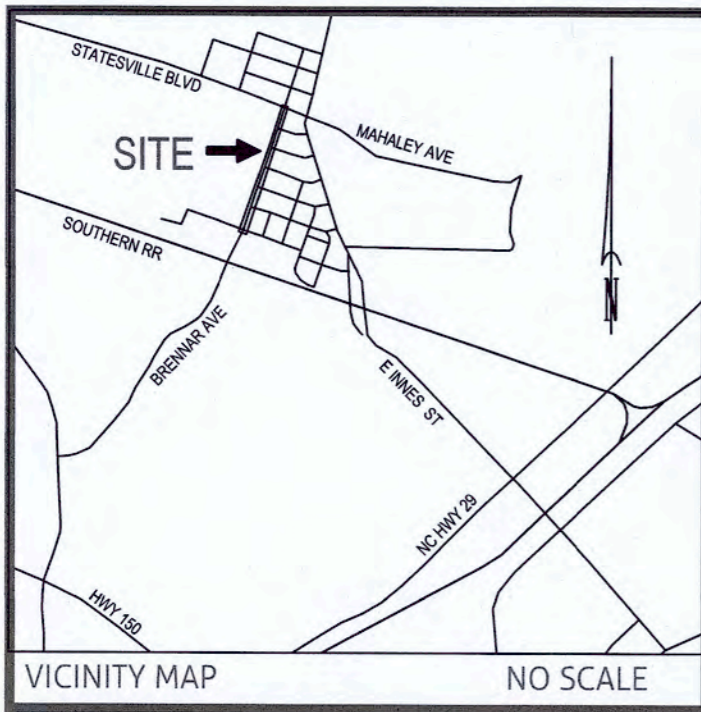
******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Declined

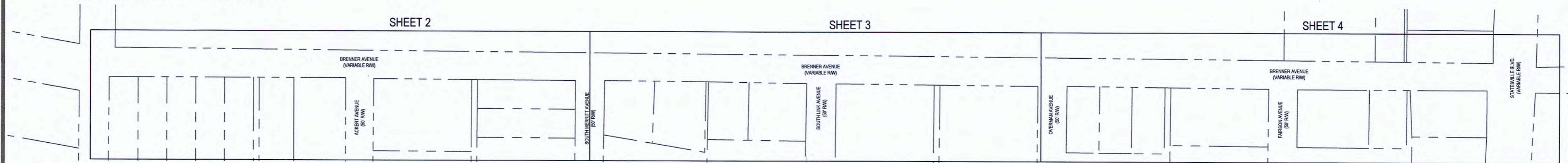
Reason:



RIGHT-OF-WAY AND EASEMENT PLAT OF BRENNER AVENUE FOR THE CITY OF SALISBURY

GENERAL NOTES

1. AREAS COMPUTED BY COORDINATE METHOD.
2. BASIS OF BEARINGS: NAD 83, NAVD 88
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN U.S. SURVEY FEET UNLESS OTHERWISE NOTED.
4. LINES NOT SURVEYED ARE SHOWN AS BROKEN LINES FROM INFORMATION REFERENCED ON THE FACE OF THIS PLAT.
5. SUBJECT PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA ACCORDING TO FLOOD INSURANCE RATE MAP 3710575000J DATED JUNE 15, 2009.
6. SOLE PURPOSE OF THIS PLAT IS TO RECOMBINE PARCELS AS SHOWN.
7. THIS SURVEY IS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY MATTERS THAT A FULL TITLE SEARCH WOULD DISCLOSE.



Doc ID: 015254870004 Type: CRP
 Recorded: 04/04/2023 at 11:59:25 AM
 Fee Amt: \$84.00 Page 1 of 4
 Rowan, NC
 J. E. Brindle Register of Deeds
 BK 9995 Pg 10446

SURVEYOR'S CERTIFICATION

I, ERIC J. MOSER, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED AS SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION SHOWN ON THE FACE OF THIS MAP; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:10,000+; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 24th DAY OF MARCH, A.D. 2023.

Eric Moser
 ERIC J. MOSER, PROFESSIONAL LAND SURVEYOR L-4697

ROWAN COUNTY, NORTH CAROLINA
 Filed for registration at 11:59:25 o'clock 7 M
04-04-2023 and registered
 In Map Book 9995 Page 10446

J.E. Brindle, REGISTER OF DEEDS

BY: Balida B. Col ASST/DEPUTY

CERTIFICATION OF APPROVAL:

I HEREBY CERTIFY THAT THIS IS A MAP FOR RECORDATION AND DOES NOT CONSTITUTE A SUBDIVISION OF LAND.

Wanda G. Biddle 3-30-23
 SUBDIVISION ADMINISTRATOR DATE

STATE OF NORTH CAROLINA
 COUNTY OF ROWAN

I, Adam Poplin, REVIEW OFFICER OF ROWAN COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Adam Poplin 4/4/23
 REVIEW OFFICER DATE

LEGEND (UNLESS OTHERWISE NOTED)

- PROPOSED RIGHT-OF-WAY (PROP ROW#)
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE#)
- PROPOSED PERMANENT DRAINAGE EASEMENT
- PROPOSED PERMANENT SIDEWALK EASEMENT
- CP - COMPUTED POINT ●
- IPF - IRON PIPE FOUND ○
- IRF - IRON ROD FOUND ○
- R/W - RIGHT OF WAY —
- R/W - R/W MONUMENT (TO BE SET) ▲
- RBF - REBAR FOUND ○

ADJOINER _____
 EDGE OF PAVEMENT _____
 EASEMENT _____
 RIGHT-OF-WAY LINE _____

TYPE OF PLAT

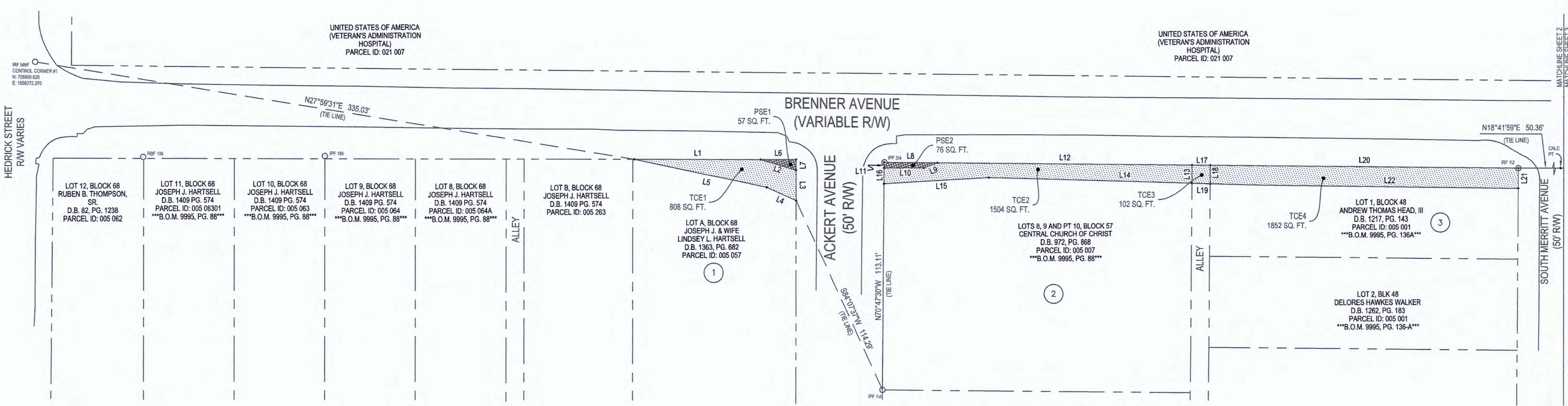
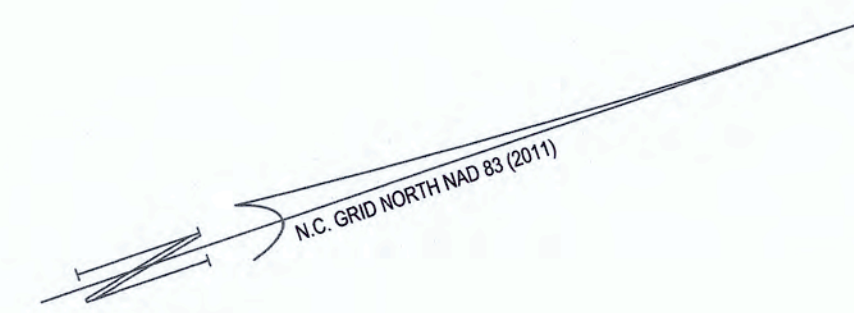
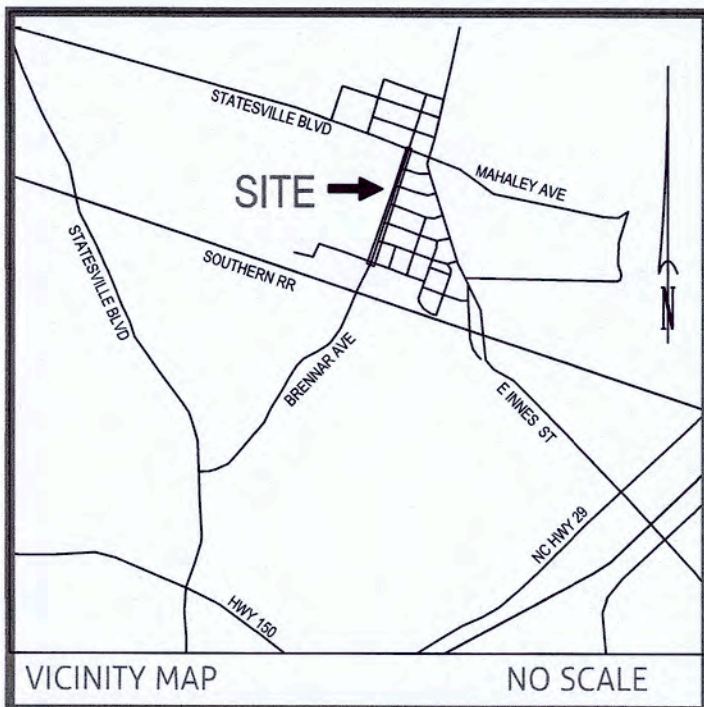
I, ERIC J. MOSER, PROFESSIONAL LAND SURVEYOR LICENSE NO. L-4697, CERTIFY TO ONE OF THE FOLLOWING AS CHECKED BELOW;

- A. THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;
- B. THAT THE SURVEY IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND;
- C. ANY ONE OF THE FOLLOWING:
 1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;
 2. THAT THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE; OR
 3. THAT THE SURVEY IS A CONTROL SURVEY.
- D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;
- E. THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE

Eric Moser 3/24/2023
 ERIC J. MOSER, PROFESSIONAL LAND SURVEYOR L-4697 DATE



EASEMENT SURVEY PREPARED FOR THE:		
CITY OF SALISBURY		
SCALE: 1" = 40'	BRENNER AVENUE	REV.:
DATE: 03/24/2023		
CITY OF SALISBURY - SALISBURY TOWNSHIP, ROWAN COUNTY, NORTH CAROLINA		SHEET 1 OF 4
REFERENCES: TAX MAPS		
SURVEY AND MAP BY: WithersRavenel Engineers Planners Surveyors		
424 Gallimore Dairy Rd, Suite C Greensboro, NC 27409 t: 336-605-3009 license #: F-1479 www.withersravenel.com		



LINE TABLE

LINE	BEARING	DISTANCE
L1	N18°50'31"E	69.49'
L2	N35°34'30"E	20.41'
L3	S71°07'47"E	16.76'
L4	S43°11'09"W	17.87'
L5	S30°41'59"W	74.50'
L6	N18°52'13"E	19.53'
L7	S71°07'47"E	5.67'
L8	N19°16'00"E	29.28'
L9	S01°44'48"E	8.01'
L10	S18°32'03"W	21.80'
L11	N70°45'51"W	3.15'
L12	N19°16'00"E	140.72'
L13	S70°43'56"E	10.07'
L14	S20°21'51"W	112.18'
L15	S15°23'07"W	57.97'
L16	N70°45'51"W	8.69'
L17	N19°16'04"E	10.00'
L18	S70°43'56"E	10.26'
L19	S20°21'51"W	10.00'
L20	N19°16'04"E	170.00'
L21	S70°43'53"E	11.14'
L22	S19°24'35"W	142.13'

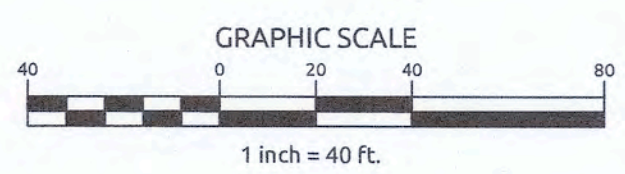
- LEGEND (UNLESS OTHERWISE NOTED)**
- PROPOSED RIGHT-OF-WAY (PROP ROW#)
 - PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE#)
 - PROPOSED PERMANENT DRAINAGE EASEMENT
 - PROPOSED PERMANENT SIDEWALK EASEMENT
 - CP - COMPUTED POINT
 - IPF - IRON PIPE FOUND
 - IRF - IRON ROD FOUND
 - R/W - RIGHT OF WAY
 - R/W - COMPUTED POINT
 - RBF - REBAR FOUND
 - ADJOINER _____
 - EDGE OF PAVEMENT _____
 - EASEMENT _____
 - RIGHT-OF-WAY LINE _____

SURVEYOR'S CERTIFICATION

I, ERIC J. MOSER, PROFESSIONAL LAND SURVEYOR, L-4697 N.C., CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

Eric Moser 3/24/2023

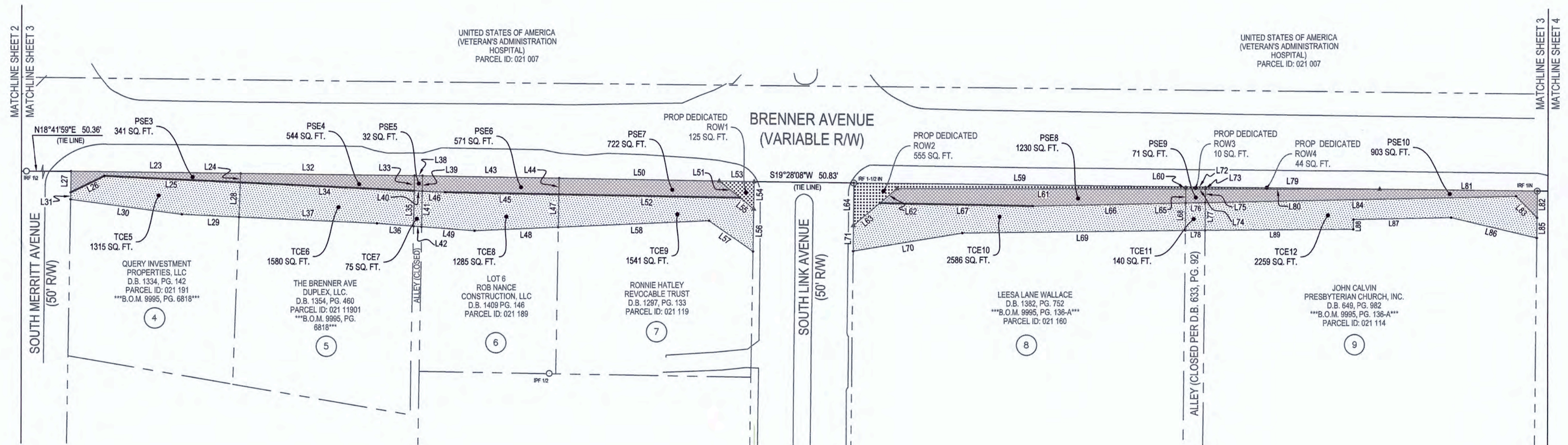
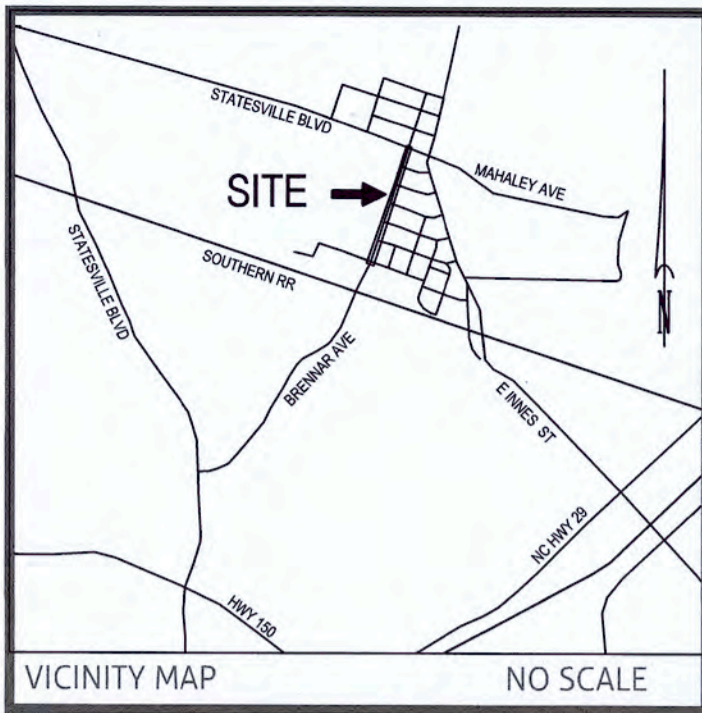
ERIC J. MOSER #348214511 DATE: 03-24-2023



EASEMENT SURVEY PREPARED FOR THE:

CITY OF SALISBURY

SCALE: 1" = 40'	BRENNER AVENUE	REV.:
DATE: 03/24/2023	CITY OF SALISBURY - SALISBURY TOWNSHIP, ROWAN COUNTY, NORTH CAROLINA	
REFERENCES: TAX MAPS	SHEET 2 OF 4	
SURVEY AND MAP BY: WithersRavenel Engineers Planners Surveyors		
424 Gallimore Dairy Rd, Suite C Greensboro, NC 27409 t: 336-605-3009 license #: F-1479 www.withersravenel.com		



LINE TABLE

L23	N19°24'31"E	86.83'
L24	S69°03'19"E	4.54'
L25	S21°25'18"W	69.68'
L26	S07°19'01"E	19.19'
L27	N70°14'30"W	10.72'
L28	S69°03'19"E	17.69'
L29	S21°20'07"W	29.25'
L30	S26°21'09"W	57.51'
L31	N70°14'30"W	3.56'
L32	N19°24'31"E	89.09'
L33	S70°05'30"E	7.67'
L34	S21°25'18"W	89.20'
L35	S70°05'30"E	18.12'
L36	S23°03'07"W	18.75'
L37	S21°20'07"W	70.79'
L38	N19°24'31"E	4.07'
L39	S70°14'24"E	7.82'
L40	S21°25'18"W	4.09'
L41	S70°14'24"E	18.24'
L42	S23°03'07"W	4.14'
L43	N19°45'36"E	70.00'
L44	S70°14'24"E	8.22'
L45	S19°49'10"W	58.30'
L46	S21°25'18"W	11.70'
L47	S70°14'24"E	16.79'
L48	S16°16'44"W	42.92'
L49	S23°03'07"W	27.20'
L50	N19°45'36"E	82.09'
L51	N57°45'37"E	13.50'
L52	S19°49'10"W	92.73'
L53	N19°45'36"E	17.90'
L54	S70°14'24"E	13.99'
L55	S57°45'37"W	9.22'
L56	S70°14'24"E	21.72'

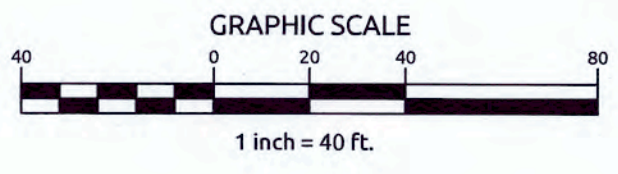
L57	S53°43'03"W	27.55'
L58	S16°16'44"W	77.28'
L59	N19°24'10"E	170.09'
L60	S70°35'50"E	1.10'
L61	S18°46'07"W	147.97'
L62	S21°21'48"E	11.38'
L63	S21°21'48"E	17.83'
L64	N70°36'48"W	21.81'
L65	S70°35'50"E	7.19'
L66	S17°33'04"W	78.15'
L67	S19°52'46"W	78.47'
L68	S70°35'50"E	13.96'
L69	S18°01'00"W	114.18'
L70	S09°28'02"W	56.78'
L71	N70°36'48"W	12.99'
L72	N19°24'10"E	10.00'
L73	S70°35'50"E	0.99'
L74	S18°46'07"W	10.00'
L75	S70°35'50"E	6.98'
L76	S17°33'02"W	10.01'
L77	S70°35'50"E	14.10'
L78	S19°21'04"W	10.90'
L79	N19°24'03"E	89.37'
L80	S18°46'07"W	89.38'
L81	N19°24'08"E	80.62'
L82	S70°35'51"E	13.70'
L83	S64°45'34"W	15.29'
L84	S17°33'02"W	159.34'
L85	S70°35'51"E	10.29'
L86	S32°04'08"W	45.14'
L87	W17°35'17"W	50.04'
L88	N70°07'17"W	5.00'
L89	S18°21'04"W	75.91'

LEGEND (UNLESS OTHERWISE NOTED)

- PROPOSED RIGHT-OF-WAY (PROP ROW#)
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE#)
- PROPOSED PERMANENT DRAINAGE EASEMENT
- PROPOSED PERMANENT SIDEWALK EASEMENT

CP - COMPUTED POINT ●
 IPF - IRON PIPE FOUND ○
 IRF - IRON ROD FOUND ○
 RW - RIGHT OF WAY RW
 RW - COMPUTED POINT ▲
 RBF - REBAR FOUND ○

ADJOINER _____
 EDGE OF PAVEMENT _____
 EASEMENT _____
 RIGHT-OF-WAY LINE _____



SURVEYOR'S CERTIFICATION

I, ERIC J. MOSER, PROFESSIONAL LAND SURVEYOR, L-4697 N.C., CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SUBDIVISION, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

Eric Moser 3/24/2023
 ERIC J. MOSER, P.L.S. / SC32AB3A321451... DATE: 03-24-2023



EASEMENT SURVEY PREPARED FOR THE:

CITY OF SALISBURY

SCALE: 1" = 40'

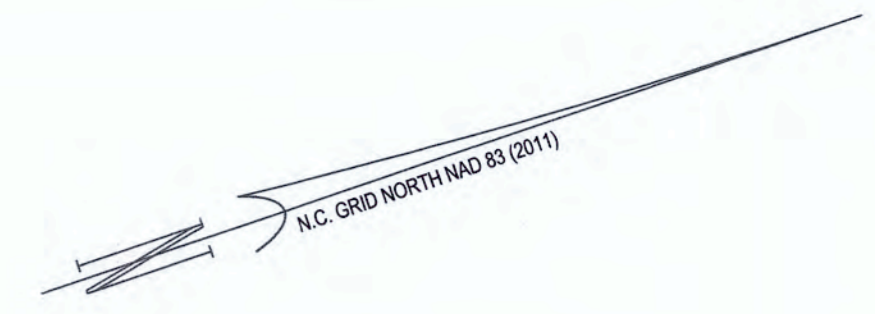
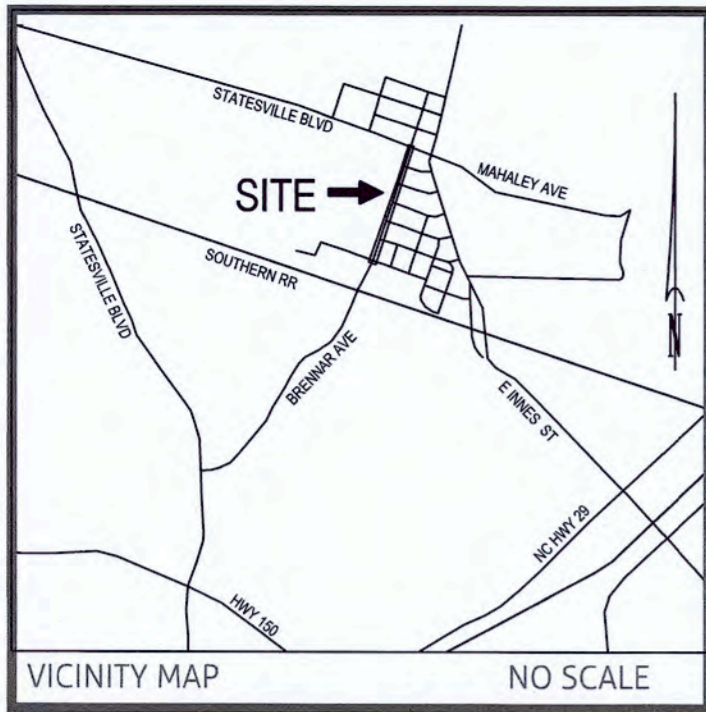
DATE: 03/24/2023

CITY OF SALISBURY - SALISBURY TOWNSHIP, ROWAN COUNTY, NORTH CAROLINA

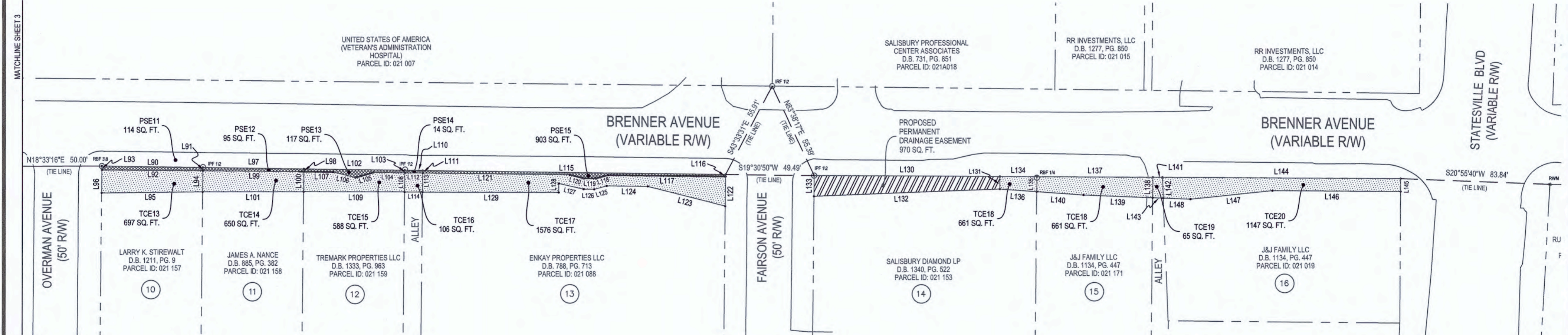
REFERENCES: TAX MAPS

SURVEY AND MAP BY: **WithersRavenel** 424 Gallimore Dairy Rd, Suite C | Greensboro, NC 27409
 t: 336-605-3009 | license #: F-1479 | www.withersravenel.com

SHEET 3 OF 4



MATCHLINE SHEET 3



LINE TABLE

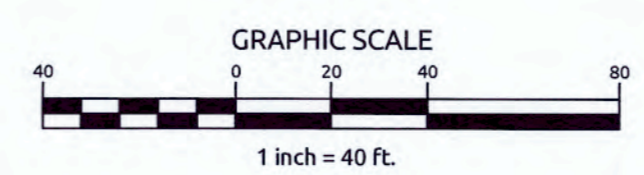
L90	N19°30'58"E	56.66'	L118	S03°24'35"W	6.97'
L91	S70°34'32"E	1.85'	L119	S18°46'30"W	6.84'
L92	S19°09'43"W	56.66'	L120	S33°27'28"W	8.25'
L93	N70°34'46"W	2.20'	L121	S19°25'18"W	82.33'
L94	S70°34'32"E	11.75'	L122	S70°34'25"E	16.57'
L95	S18°03'01"W	56.28'	L123	S33°03'10"W	44.85'
L96	N70°34'15"W	12.85'	L124	S19°24'35"W	23.02'
L97	N19°30'12"E	56.64'	L125	S03°28'34"W	7.28'
L98	S70°34'42"E	1.52'	L126	S19°25'18"W	6.00'
L99	S19°10'32"W	56.64'	L127	S31°30'59"W	14.32'
L100	S70°34'42"E	11.24'	L128	S70°34'42"E	5.00'
L101	S18°39'28"W	57.04'	L129	S18°57'48"W	76.33'
L102	N19°30'47"E	56.64'	L130	N19°02'12"E	104.03'
L103	S70°34'28"E	1.43'	L131	S70°54'50"E	7.07'
L104	S19°25'18"W	17.59'	L132	S16°33'15"W	104.19'
L105	S02°51'34"W	10.52'	L133	N70°38'54"W	11.58'
L106	S33°01'06"W	12.76'	L134	N19°02'12"E	20.93'
L107	S19°25'18"W	16.56'	L135	S70°38'03"E	8.42'
L108	N70°34'28"W	10.69'	L136	S22°44'18"W	20.93'
L109	S18°51'59"W	56.64'	L137	N19°02'12"E	65.00'
L110	N19°30'23"E	10.00'	L138	S70°38'03"E	11.44'
L111	S70°34'28"E	1.42'	L139	S20°59'43"W	38.90'
L112	S19°25'18"W	10.00'	L140	S22°44'18"W	26.16'
L113	S70°30'16"E	9.42'	L141	N19°02'12"E	5.36'
L114	S18°57'48"W	10.00'	L142	S73°26'57"E	11.65'
L115	N19°31'02"E	169.94'	L143	S20°59'43"W	5.93'
L116	S70°34'28"E	1.13'	L144	N19°02'12"E	133.47'
L117	S19°25'18"W	66.07'	L145	S70°53'08"E	7.26'
			L146	S19°05'10"W	71.75'
			L147	S12°52'58"W	46.27'
			L148	S20°59'43"W	15.20'

LEGEND (UNLESS OTHERWISE NOTED)

- PROPOSED RIGHT-OF-WAY (PROP ROW#)
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE#)
- PROPOSED PERMANENT DRAINAGE EASEMENT
- PROPOSED PERMANENT SIDEWALK EASEMENT

CP - COMPUTED POINT ●
 IPF - IRON PIPE FOUND ○
 IRF - IRON ROD FOUND ○
 R/W - RIGHT OF WAY R/W
 R/W - COMPUTED POINT R/W
 RBF - REBAR FOUND ▲

ADJOINER _____
 EDGE OF PAVEMENT _____
 EASEMENT _____
 RIGHT-OF-WAY LINE _____



SURVEYOR'S CERTIFICATION

I, ERIC J. MOSER, PROFESSIONAL LAND SURVEYOR, L-4697 N.C., CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

Eric Moser 3/24/2023
 ERIC J. MOSER, P.L.S. 2833A321451 DATE: 03-24-2023



EASEMENT SURVEY PREPARED FOR THE:

CITY OF SALISBURY

SCALE: 1" = 40'	BRENNER AVENUE	REV.:
DATE: 03/24/2023		
CITY OF SALISBURY - SALISBURY TOWNSHIP, ROWAN COUNTY, NORTH CAROLINA		SHEET 4 OF 4
REFERENCES: TAX MAPS		
SURVEY AND MAP BY: WithersRavenel 424 Gallimore Dairy Rd, Suite C Greensboro, NC 27409 <small>Engineers Planners Surveyors</small> t: 336-605-3009 license #: F-1479 www.withersravenel.com		

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: Fire Chief Bob Parnell

Name of Presenter(s): Deputy Fire Chief David Morris & Captain Adrian Gantt

Requested Agenda Item: Review of Special Events Process

Description of Requested Agenda Item: Review of updated Special Events Guidebook with a focus to improve the public safety sections. In addition, a new shortened application form separated from the guidebook will be introduced along suggestions for an updated fee schedule and review of comparisons from other local municipalities.

Attachments: Yes No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

Action Requested of Council for Agenda Item: No action is required at this time.

Contact Information for Group or Individual: Deputy Fire Chief David Morris
Dmorr@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:



City of Salisbury Fire Department

Established December 8, 1817

Date: April 12, 2023

To: City Council

Via: Deputy Chief David Morris

From: Special Events Committee

Subject: Special Events Permitting – Proposed Changes/Recommendations for Consideration

Below is a summary of items to be discussed at the presentation to Council at its meeting on April 18, 2023. The Event Planning Committee, comprised of City staff, has worked hard to evaluate current event permitting process and wishes to present recommend changes and receive Council feedback.

- Presentation of process and best practices from other cities for comparison
- Separating the Special Events Guidebook and the Special Events Application for simplicity and efficiency – per recommendations from outside stakeholders (See application attachment)
- Addition of information and clarification in the guidebook from the Fire Marshal's office regarding Special Event regulations – per questions received from outside stakeholders
- Changes in application fee and timing of fee payment
- Changes in timeline of application review and evaluation by staff and new fee recommendations
 - Application Received 120 Days Prior to Event \$50.00 for Permit
 - Application Received 90 Days Prior to Event \$75.00 for Permit
 - Application Received 60 Days Prior to Event \$100.00 for Permit
 - Application Received 30 Days Prior to Event \$150.00 for Permit(All of the above still require approval from the Special Events Committee)
 - Keep in consideration that if the application is received less than 60 days prior to the event, the DOT requirement remains as a 60-day notification for DOT Roads, which could impact approval of the event.
- Addition of an exception for State or National Athletic Championships, as approved by City Council
- Changes in fees for off-duty Police and Fire from \$35 to \$45/hour per officer/firefighter. To be paid by event organizer or sponsor.
- Special Event Committee to evaluate the event for public safety needs of fire and police for security of the event.
- If overtime is required by Public Works a fee of \$45/hour/staff member.
- Provide a list of outside vendors to event organizers to obtain additional resources.
- Considerations of impact on current Ordinances
- Based on Council feedback – completion of the guidebook to be brought back to Council after review.
- Would Council want event approvals on the Consent Agenda going forward?

Special Events Permit Application

Application should be completed in entirety and turned in according to the application deadline schedule prior to event. Application must be submitted with permit fee, site map, certificate of insurance, and ABC permit (if required).
 Information and deadline schedule can be found in the Special Event Guide Book.

Event Name	Click or tap here to enter text.
Event Date	Click or tap here to enter text.
Event Location	Click or tap here to enter text.
Event Time	Click or tap here to enter text.
Set-Up and Clean-Up Timeline	Click or tap here to enter text.
Estimated Attendance	Click or tap here to enter text.

Event Category & Activities Please check all that apply for your event	<input type="checkbox"/> Street Closure (If so, complete addendum C)	<input type="checkbox"/> DJ/Amplified Sound	<input type="checkbox"/> Outdoor/Farmers Market
	<input type="checkbox"/> Festival/Fair/Celebration	<input type="checkbox"/> Parade # of Units: <input style="width: 40px;" type="text"/> Qty.	<input type="checkbox"/> Alcohol Sales/Distribution
	<input type="checkbox"/> 5K Run/Walk/Race	<input type="checkbox"/> Concert/Performance	<input type="checkbox"/> Fundraiser
	<input type="checkbox"/> Food Vendors (Trucks, Stands etc.)	<input type="checkbox"/> Inflatables	<input type="checkbox"/> Other

ADVERTISING EVENTS PRIOR TO RECEIVING APPROVAL PERMIT IS PROHIBITED

Office Use Only



Date Application Received	Date Payment Received
Date Committee Approved/Denied	Event Layout Submitted
Signed DOT Form Received	Signed Permit Received
Date Permit Approval Created	Reason for Denial (if any)

Event Organization	
Event Name	Click or tap here to enter text.
Type of Organization	Click or tap here to enter text.
Contact Name	Click or tap here to enter text.
Address	Click or tap here to enter text.
Web Address	Click or tap here to enter text.
Primary Contact #	Click or tap here to enter text.
Email Address	Click or tap here to enter text.
On-Site Contact Name & Number	Click or tap here to enter text.
Secondary Name	Click or tap here to enter text.
Secondary Contact #	Click or tap here to enter text.

Admission Fee: Yes No
 Attached Site Plan/Map

Street Closures

A temporary street closure has been requested for the following date(s)/time(s) for the street listed.

Closure Start Date: Click or tap to enter a date.	Closure Start Time: Click or tap here to enter text.
Closure End Date: Click or tap to enter a date.	Closure End Time: Click or tap here to enter text.
Street Name(s) and Block(s) Click or tap here to enter text.	

Description of Event: Click or tap here to enter text.

Public Works Needs	
Item	Qty.
Garbage Cans	Qty.
Recycling Cans	Qty.
Wooden Barricades	Qty.
Class II Barricades	Qty.
Cones	Qty.

Public Safety Needs		
Service	Qty.	# of hours
Fire	Qty.	#
Police	Qty.	#
EMS	Qty.	#

Acknowledgment of Ordinance Fees

City Ordinance reviewed by applicant: Yes No

By signing this permit application, I acknowledge that I understand the ordinance and enumerated rules and regulations pertaining to the parameters of this permit that are related to this application. I agree that I must pay all fees to the City of Salisbury in full as applicable.

*Application costs are paid to the City of Salisbury at Salisbury Fire Department Station 1 - 514 East Innes Street Salisbury, NC 28144

Click or tap here to enter text.

Click or tap to enter a date.

Signature of Permit Applicant

Date

Hold Harmless Agreement

STATE OF NORTH CAROLINA
COUNTY OF ROWAN

Host organization and/or Event Organizer agree, in consideration of the granting of this Application and Special Event Permit for:

Click or tap here to enter text.

Event Name

By Click or tap here to enter text.

Event Organizer/Primary Applicant

to be held on Click or tap to enter a date.

Event Date(s)

of Click or tap here to enter text.

Host Organization

Host Organization and/or Event Organizer(s) agree to defend, indemnify and hold harmless the City of Salisbury and the City of Salisbury employees, officers, managers, agents, council members, and volunteers harmless from any and all losses, damages, claims for damage, liability, lawsuits, judgment expense and cost(s) arising from any injury or death to any person or damage to any property including all reasonable cost for investigation and defense thereof including, but not limited to attorney fee, costs and expert fees arising out of the issuance of Applicant's Special Event Permit regardless of where the injury, death or damages may occur.

Insurance

Host Organization and/or Event Organization will provide a Certificate of Insurance in order to provide satisfactory evidence sufficient coverage for the types, limits, forms and ratings required by the City's Risk Manager or City Attorney or their designee.

Click or tap here to enter text.

Print Name

Click or tap to enter a date.

Title

Click or tap here to enter text.

Signature

Click or tap to enter a date.

Date

Certificate of Insurance naming the City of Salisbury as loss payee must be submitted with application.

North Carolina Department of Transportation
Special Event Request Form Effective
7/31/15, Revised 7/3/19

This request form is required for non-governmental entities for all special events requiring a road, lane, and/or shoulder closure, or repurposing a State Highway System facility for something other than its intended use, except where a county or municipality is regulating the use of the highways in accordance with General Statute §20-169. This form must be submitted with a formal request to the appropriate Division Engineer(s) at least sixty (60) days prior to the scheduled beginning of the event. See a listing of the Highway Divisions and their contact information at the following URL:

<https://apps.dot.state.nc.us/dot/directory/authenticated/UnitPage.aspx?id=630>

Section A: Event Information

Name of Event: Click or tap here to enter text.

Type of Event: Click or tap here to enter text.

County/Countries: Click or tap here to enter text.

City/Cities: Click or tap here to enter text.

Event Date(s): Click or tap here to enter text.

Event Time(s): Click or tap here to enter text.

Primary Sponsoring Organization: Click or tap here to enter text.

Anticipated number of participants (estimate): QTY.

Anticipated number of spectators (estimate): QTY.

Approximate distance in miles: QTY.

Requested Action(s): Road Closure* Lane Closure* Shoulder Closure*
(Check all that apply) Repurposing a State Highway System facility for something other than its intended use.

*For closures, anticipated time road/lane/shoulder will actually close: and reopen:

Section B: Contact Information

Director/Organizer Name: Click or tap here to enter text. Email: Click or tap here to enter text.

Mailing Address: Click or tap here to enter text.

Telephone 1:### Telephone 2: ### Fax:###

Responsible Local Government: Click or tap here to enter text.

Local Government Contact: Click or tap here to enter text.

Telephone 1:### Telephone 2:### Fax:###

Responsible Law Enforcement Agency: Click or tap here to enter text.

Law Enforcement Contact: Click or tap here to enter text.

Telephone 1:### Telephone 2: ### Fax:###

Section C: Support Material (check list)

- 1. The following support documentation must be attached to this request before it will be considered (as applicable following discussions with the local Highway Division(s))
- 2. Detailed location(s) of event including maps indicating proposed route(s) used by the event. Any changes to the proposed routes shall be submitted as soon as the change is made.
- 3. Detailed description of the event and how it will affect the route(s) used by the event.
- 4. Written acknowledgement and approval by all local governments whose jurisdiction the event is being held in.
- 5. Written acknowledgement and approval by local law enforcement and/or the State Highway Patrol.
- 6. Type, description, and location of any proposed temporary lane closures/interference, road closures/interference, traffic control and signing with appropriate maps, sketches, detour routes, and written acknowledgement from the agency providing the temporary closures/interference, traffic control, and/or signing accepting responsibility for such.
- 7. Description of notification to residents along the route as a safety and informational service Waiver modification or insurance (select one)
 - A. Addition of the State of North Carolina and the North Carolina Department of Transportation into participant release waivers (see Appendix A for example). A copy of a blank waiver shall be provided.
- OR
- B. Certificate of liability insurance as follows:
 - General Liability, Each Occurrence: minimum amount of \$1,000,000
 - Description field: name and type of the event (as indicated in Section A, above)
 - Description field: the State of North Carolina and the North Carolina Department of Transportation named as additional insured parties (this is at the discretion of the individual insurance company)
 - Note – Additional liability insurance may be requested at the discretion of the Department

Section D: Terms and Conditions

The following applies to all approved events...

1. Requestor shall be responsible for proper closure of the lanes/roads according to the Manual on Uniform Traffic Control Devices (MUTCD).
2. Requestor shall be responsible for providing all necessary traffic control using the appropriate law enforcement agency/agencies or individuals trained in traffic control as set forth in General Statute §20-114.1.
3. Requestor shall be responsible for notification of all emergency services and other responders of any impending closures and/or interference.
4. Event shall be supported by, or endorsed by, the local governing body/bodies.
5. If the event is a bicycle race, requestor shall be responsible for following rules and statutes specific to bicycle racing as provided for in General Statute §20-171.2.
6. Requestor shall ensure that all debris, litter, decorations, and other items associated with the event are removed following the event

Section E: Signatures

Requestor Signature: Sign Here

Date: Click or tap to enter a date.

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: Sada Stewart Troutman, Downtown Development

Requested Agenda Item: New Sarum Parking Lot Lease

Description of Requested Agenda Item: New Sarum has requested to lease a portion of the parking lot adjacent to their property from Friday evening through Sunday, so that the lot may be closed for seating, music and entertainment related to the brewery.

Attachments: Yes No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

Action Requested of Council for Agenda Item: Authorization for the City Manager to sign the lease.

Contact Information for Group or Individual: Sada Stewart Troutman, 704-638-5239

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

_____/x/Sada Stewart Troutman_____
Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

LEASE AGREEMENT

This Lease Agreement (“Lease”) is entered into this ___ day of March, 2023, by and between the **City of Salisbury**, a North Carolina municipal corporation (“City”) and **New Sarum Brewing Co., LLC**, a North Carolina limited liability company (“New Sarum”) (collectively, the “Parties”).

For and in consideration of the mutual promises set forth in this Lease, the Parties hereby agree as follows:

1. Acknowledgments.

- a. New Sarum owns and operates a brewery and tap room located at 109 North Lee Street in Salisbury, North Carolina.
 - b. The City owns and operates a public parking lot adjacent to New Sarum located at 115 North Lee Street and identified as Rowan County Tax Parcel ID No. 010 283 (the “Property”).
 - c. New Sarum has requested that the City lease a portion of the Property to New Sarum on weekends to allow New Sarum to host weekend events and expand its customer seating and event area onto the Property. New Sarum has also requested that the City lease to it for the entire duration of the Least term (not just on weekends) certain portions of the parking lot to store furniture and equipment related to New Sarum’s use of the weekend space.
 - d. The City is interested in leasing a portion of the Property to New Sarum for those purposes, has determined that the portion of Property leased will not be needed by the City during the lease Term, and has concluded that leasing the Property will generate additional economic activity in the area and indirectly benefit the City and its citizens.
 - e. In accordance with the terms and conditions of this Lease, the City is willing to lease a portion of the Property to New Sarum.
2. **Lease.** The City agrees to lease the Leased Space to New Sarum for the Term of this Lease.
3. **Leased Space.** The Leased Space shall be that portion of the Property identified as the “Storage Space” and the “Event Space” in the map attached as **Exhibit A**, which is incorporated into this Agreement (except where otherwise indicated, for purposes of this Lease, the Storage Space and Event Space are referred to collectively as the “Leased Space”).
4. **Term.** This Lease is for a Term of one year and shall commence on March __, 2023, and shall end on March __, 2024, unless sooner terminated in accordance with this Lease. During the Term, New Sarum has the exclusive right to the Leased Space as follows:

- a. Storage Space. New Sarum may use the Storage Space at all times during the Term.
 - b. Event Space. New Sarum may use the Event Space on weekends only during the Term. Specifically, New Sarum's lease for the Event Space begins each week at 5:00 p.m. on Friday and ends at 11:59 p.m. on the following Sunday. Each week between 12:00 a.m. on Monday and 4:59 p.m. on the following Friday, New Sarum shall have the same rights as the public to use the Event Space.
5. **Lease Payments**. New Sarum shall pay the City rent in the amount of **Two Hundred Fifty and 0/100 Dollars (\$250.00) per month** payable in advance on or before the first day of every month during the Term of the Lease. A late charge of Twenty Five and 0/100 Dollars (\$25.00) will be applied to any rent payment not made by the 10th of any month. Any late payment may be cured within ten (10) days of notice from the City to New Sarum and New Sarum tendering payment in full of the monthly rent and any late payment.
6. **Use of the Leased Space**.
- a. Storage Space. New Sarum may use the Storage Space to build or erect one or more temporary buildings, fences, or other structures to store tables, chairs, and other furniture and equipment related to its business. New Sarum shall not erect any building, fence, or structure without the prior written approval of the City as to its location, orientation, and appearance, which approval the City may provide or withhold in the City's sole discretion. New Sarum acknowledges that any approval granted by the City pursuant to this paragraph shall not constitute a Certificate of Appropriateness granted by the Salisbury Historic Preservation Commission or any other regulatory approval required by law.
 - b. Event Space. New Sarum may use the Event Space for any lawful purpose related to its business. Notwithstanding the foregoing, New Sarum may not permanently build or affix anything to the Event Space without the prior written approval of the City, and shall remove all temporary items, including furniture and equipment, by the time set forth in paragraph 4.b.
 - c. Rules for the Event Space
 - i. *Cleaning*. New Sarum shall keep the Event Space neat and clean when it is in exclusive control of the Event Space, and shall ensure that the Event Space is neat and clean and free of any furniture, equipment, or other obstructions that block parking spaces at the end of each weekend.
 - ii. *Fencing between Event Space and parking*. New Sarum shall erect temporary fencing or dividers between the Event Space and the rest of the Property during the time it is in exclusive possession of the Event Space so as to ensure that its customers are not exposed to any vehicular traffic.
 - iii. *Noise*. New Sarum shall limit the noise emitting from the Event Space to ensure the peace and quiet enjoyment of neighboring properties. In addition to any other measures required to achieve this purpose, live music within the Event Space will end by 10 p.m.

- iv. *Restrooms*. New Sarum will provide sufficient restroom facilities for the size of crowd expected.
 - v. *Security*. New Sarum will provide sufficient security personnel for the size of crowd expected.
 - d. Public sidewalk to remain open. The public sidewalk located within the Property and identified in **Exhibit A** shall remain open to the public during the Term.
- 7. **Signs**. The City shall provide and install signs on the Property indicating the specific days and times that a portion of the Property is closed to the public during the Term.
- 8. **Towing**. New Sarum, and not the City, has the right but not the obligation to remove personal property, including vehicles, placed or parked in the Leased Space during the times the Leased Space is exclusively leased by New Sarum.
- 9. **Good faith cooperation and quarterly meetings**. New Sarum and the City agree to work in good faith to achieve the purposes of this Lease in a manner that is beneficial to New Sarum and the City and not detrimental to any of New Sarum's neighbors or citizens generally. To that end, New Sarum and the City agree to meet on a quarterly basis, or more often as needed, to address and resolve any issues or complaints related to New Sarum's use of the Leased Space, including amending this Lease where required.
- 10. **Events of Default**. Events of Default for the Parties include the following:
 - a. For New Sarum: (1) failure to timely make rent payment, subject to New Sarum's right to cure; (2) damaging the Leased Space and failure to cure or repair the same within thirty (30) days of written notice from the City; (3) failure to provide the required insurance or insurance certificates; (4) failure to abide by the rules set forth in paragraph 6.c.; and (5) any other material breach of the terms and conditions of this Lease.
 - b. For City: (1) failure to provide Leased Space; (2) interference with New Sarum's use of the Leased Space; and (3) any other material breach of the terms and conditions of this Lease.
- 11. **Termination**. This Lease shall terminate at the end of the Term without action of either Party unless sooner terminated pursuant to this paragraph. This Lease may be terminated after notice to the other Party that an Event of Default has occurred and expiration of any applicable cure period. Upon the occurrence of any Event of Default by New Sarum, the City may, at its option, evict New Sarum in accordance with law. This Lease may be terminated by New Sarum for convenience upon written notice to the City.
- 12. **Governmental approvals**. Nothing in this Lease shall be construed as granting any governmental approval that is not expressly set forth in this Lease. By way of illustration and not limitation, New Sarum shall be responsible for the following: (1) securing any Certificate of Appropriateness from the Salisbury Historic Preservation Commission for any buildings or structures allowed by this Lease; (2) securing any other land use approval required for any activity allowed by this Lease; (3) securing any permit or license to sell alcoholic beverages within the Leased Space; and (4) securing any other approval or permit required by any local, State, or federal law.

13. **Insurance.** New Sarum shall maintain \$1,000,000 in Commercial General Liability insurance. The "City of Salisbury, a North Carolina municipal corporation" shall be named by endorsement as an additional insured on the policy. Certificates of such insurance shall be furnished by New Sarum to the City and shall contain an endorsement to provide the City at least ten (10) days' written notice of any intent to cancel or terminate by either New Sarum or the insuring company. Failure to furnish insurance certificates or maintain such insurance shall be an Event of Default under this Lease.
14. **Indemnity.** For any incident alleged to have occurred within the Storage Space, or within the Event Space during any period of time when New Sarum is in exclusive control of the Event Space, New Sarum shall indemnify and hold harmless the City and its agents and employees from and against all claims, demands, costs, damages, losses, or expenses resulting from the alleged incident, except for incidents that are proximately caused by the negligence of the City. Provided, however, that nothing in this paragraph shall be construed to require that New Sarum indemnify the City for incidents occurring within the Event Space during any time period when the City is in possession of the Event Space, or for incidents occurring within the public sidewalk that are not proximately caused by the negligence of New Sarum.
15. **Nondiscrimination.** By signing this Lease, New Sarum, for itself, its agents, officials, and employees, certifies that it does not and will not discriminate in any manner on the basis of race, color, national origin, ethnicity, religion, creed, age, disability, sex, sexual orientation, gender identity or expression, pregnancy, marital or familial status, National Guard or veteran status, or any other status protected by federal, state, or local law, in its employment or business practices, except where such actions are otherwise excepted from or allowed by federal nondiscrimination law, including, but not limited to, Title VII of the Civil Rights Act of 1964. New Sarum further agrees to comply with the provisions and intent of City of Salisbury Ordinance No. 2021-52. That Ordinance is incorporated into this Lease for the benefit of the City of Salisbury and its residents. To ensure compliance with this provision, New Sarum further agrees that it will promptly respond to reasonable requests for information from the City. Failure to respond to requests for information or failure to comply with the requirements of this provision shall constitute a breach of the Lease.
16. **Entire Agreement.** This Lease, and any other document(s) expressly incorporated by reference as a part of this Lease, constitutes and expresses the entire agreement and understanding between the Parties concerning its subject matter. This Lease supersedes all prior and contemporaneous discussions, promises, representations, agreements and understandings relative to the subject matter of this Lease. To the extent there may be any conflict between the four corners of this Lease and other documents incorporated by reference herein, the terms of this Lease will control.
17. **Attached Exhibits.** The following document is attached to this Lease and incorporated by reference herein:
- Exhibit A:** New Sarum Lease Map
18. **No assignment.** New Sarum may not assign, transfer, or sublease the Leased Space without the written consent of the City.

- 19. **No waiver.** The failure of either Party to insist in any instance on strict performance of any term or condition of this Lease shall not be construed as a waiver of such term or condition.
- 20. **Amendments in writing.** This Lease may be amended only in writing and signed by both Parties.
- 21. **Severability.** If any provision of this Lease shall be declared invalid or unenforceable, the remainder of the Lease shall continue in full force and effect.
- 22. **Counterparts and execution.** This Lease may be executed in any number of counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument. The Parties agree that computer scanned and/or faxed signatures or copies of this Lease will have the same validity and force as an "original."
- 23. **Authority to Enter Contract.** The person(s) executing this Lease on behalf of the Parties have authority to do so as an official, binding act of the respective Party.

IN WITNESS WHEREOF, the Parties hereto have caused this Lease to be executed the day and year first written above.

CITY OF SALISBURY

By: _____
Jim Greene, Jr., City Manager

NEW SARUM BREWING CO., LLC

By: 
Gianni Moscardini, Member-Manager

EXHIBIT A
(MAP TO BE ATTACHED)

D O W N T O W N



SALISBURY

N O R T H C A R O L I N A

A Main Street Original

THE CITY OF
Salisbury
— North Carolina —

Pilot Program: Leased Parking Area New Sarum

Sada Troutman
Downtown Development
April 18, 2023

Background:

- Distribution, their original business model, is no longer the most profitable piece of the business
 - The brewery Taproom, has seen a huge increase in popularity and sales
- New Sarum requests special use permits from the City to use the parking lot on days when events/large crowds are expected



Terms of the Lease for the Pilot Program:

- Friday at 5pm through Sunday at 11:59pm
- One year lease
- Use of space for storage
- New Sarum's Responsibilities
 - Clean space
 - Fence/Barricade space
 - Provide adequate restrooms for crowd
 - Provide adequate security for crowd
 - Tow and/or remove personal property, if needed
 - Acquire insurance
- Public Sidewalk to remain open at all times



Terms of the Lease for the Pilot Program:

- City Responsibilities
 - Provide the space
 - Provide signage
 - Maintain space as currently operated between Monday at 12am and Friday at 4:59pm





010 445

Storage Space

010 283

Event Space

Public Sidewalk

010 280

DEPOT ST

010 284

010 448



New Sarum Lease Map

*Council Request:
Authorize City Manager to
sign the lease agreement
between the City and New
Sarum for a pilot program.*

Questions?

Sada Troutman

Sada.Troutman@salisburync.gov

704-638-5239



Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: Kelly Baker

Name of Presenter(s): City Council

Requested Agenda Item: Council to consider appointments to various boards and commissions.

Description of Requested Agenda Item: Both the Alternate Methods of Design Commission and the Community Appearance Commission have one seat to fill. All active applications are included along with a worksheet for Council's consideration.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: Council to consider making appointments various boards and commissions. *(Please note if item includes an ordinance, resolution or petition)*

Contact Information for Group or Individual: Kelly Baker 704-638-5233

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Boards and Commissions Worksheet – 2023

Alternate Methods of Design Commission

<u>Current Member</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 1 Member</u>
Rodney Queen	3/31/23	No	

Applicants:

Notes: Members shall have demonstrated experience, education, or licensure in the design, construction, and /or development field.

Community Appearance Commission – Tamara Sheffield, Council Liaison

<u>Current Members</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 1 Member</u>
Reginald Boland	3/31/23	No	Julia Apone
Julia Apone	3/31/23	Yes	Phyllis Miller
Chris McNeely	3/21/23	No	Shawn Nottingham
Phyllis Miller	3/31/23	Yes	

Applicants:

Jason Young

Notes: Efforts are made to maintain a majority of members who have had special training or experience in a design field, such as architecture, landscape design, horticulture, city planning or a closely related field.

Jason

Young

Submission Date Mar 22, 2023 2:06 PM

First Name Jason

Last Name Young

E-mail jasony145@gmail.com

Home Phone 704 640-3869

Address 801 S Fulton St

City Salisbury

State NC

ZIP Code 28144

Ethnicity Caucasian/Non-Hispanic

Gender Male

Place of Employment VAMC

Occupation RN

Do you reside within the City limits of Salisbury? Yes

Please indicate your #1 preference:

Bell Tower Green Committe

Please indicate your #2 preference:

Hurley Park Advisory Board

Please indicate your #3 preference:

Community Appearance Commission

Have you served on a board or commission of the City of Salisbury?

No

Why are you interested in serving on the Board or Commission for which you are applying?

To be more involved in our community where I grew up.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

Bachelors in Business Mgmt. Good organization skills. Involved in committees with my work. Take pride in the appearance of my home and neighborhood.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: Community Appearance Commission & Housing Advocacy Commission

Name of Presenter(s): Alyssa Nelson, Urban Design Planner

Requested Agenda Item: Mayor's Announcement: BlockWork 2023 Call for Nominations

Description of Requested Agenda Item: The Community Appearance Commission and Housing Advocacy Commission welcome Salisbury citizens to nominate their block for this year's BlockWork event. The 2023 BlockWork event is scheduled for Saturday, October 28, 2023, on National Make a Difference Day. Applications are now being accepted for neighborhood participation. Deadline for nominations is May 1, 2023. Visit salisburync.gov/blockwork for more information. For questions, please email blockwork@salisburync.gov or call Alyssa Nelson at 704.638.5235.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Contact Information for Group or Individual: Alyssa Nelson, 704.638.5235, anel@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****



BLOCKWORK

NEIGHBORS HELPING NEIGHBORS ONE BLOCK AT A TIME

BlockWork brings residents and community volunteers together to build cleaner and safer neighborhoods, one block at a time!

Project includes:

Carpentry | Painting | Landscaping
Professional Urban Design | Clean-up

Neighborhood size is one block area.

NO COST TO ENTER OR PARTICIPATE!

NOMINATE YOUR NEIGHBORHOOD!

 salisburync.gov/BlockWork  blockwork@salisburync.gov  (704) 638-5235

DUE MONDAY, May 1



**SALISBURY
HOUSING
ADVOCACY
COMMISSION**



Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: April 18, 2023

Name of Group(s) or Individual(s) Making Request: Kelly Baker

Name of Presenter(s):

Requested Agenda Item: Announcement for Town Hall forum to receive input on the Council Election Process.

Description of Requested Agenda Item: The final Town Hall forum to receive public input on the Council Election Process will be held Thursday, April 20, 2023 at 6:00 p.m. at the Park Avenue Community Center, 632 Park Avenue. The public is encouraged to attend and provide input on the election process for City Council.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: Announcement for upcoming Council Election Process Town Hall. *(Please note if item includes an ordinance, resolution or petition)*

Contact Information for Group or Individual: Kelly Baker 704-638-5233

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****