

Salisbury, North Carolina
February 5, 2008

REGULAR MEETING

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

ABSENT: None

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

PLEDGE OF ALLEGIANCE

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

RECOGNITION OF VISITORS

Mayor Kluttz recognized all visitors present.

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular meeting of January 15, 2008 and the Special Meetings of January 21, 2008 and January 30, 2008.

(b) Temporary Street Closing – 100 Block of North Craige Street

Approve closing the 100 block of North Craige Street, Saturday, January 19, 2008 from 6:00 p.m. until Midnight to accommodate parking and safety for a wedding.

(c) Temporary Street Closing – Out Like a Lion Bicycle Race

Approve closing Lake Drive, North Jackson Street, Miller Street, Club House Drive, and Annadale Drive, Sunday, March 16, 2008 from 8:00 a.m. to 5:00 p.m. for the Out Like a Lion Bicycle Race.

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

HIGHLIGHTS AND GOALS FROM HUMAN RELATIONS COUNCIL, PLANNING BOARD AND GREENWAY COMMITTEE

Human Relations Council

Ms. Clara Corry, Chair of the Salisbury-Rowan Human Relations Council (SRHRC), and Ms. Ruth Kennerly, Staff Liaison, presented the Goals and Highlights for the Salisbury-Rowan Human Relations Council.

Ms. Corry read the SRHRC Vision Statement which states, “An inclusive community that lives with harmony, mutual respect and appreciation of diversity among all people.” She then read the Mission Statement, “To create a secure environment of hospitality, inclusiveness, acceptance and appreciation of the diversity of the community.”

2007 Highlights

- Successfully coordinated the Dr. Martin Luther King, Jr. Breakfast
- Successfully coordinated the Elizabeth D. Koontz Award Banquet
- Coordinated a successful La Fiesta de Rowan
- Published a bilingual Community Services directory
- Supported and participated in Project SAFE Neighborhood Initiative
- Supported the Center for International Understanding on Latino Issues activities
- Supported the Gang Summit Initiative sponsored by the City of Salisbury
- Continued to sponsor and conduct Community Multiculturalism training sessions
- Coordinated two (2) Mayor’s Spirit Luncheons
- Sponsored the “Let’s Get Connected Day”

Ms. Corry noted that former Catawba College head football coach David Bennett spoke at the 2007 Dr. Martin Luther King, Jr. Breakfast with a speech titled, “Have good ethics. Do what’s right.”

Dr. Robert Herffren, Principal of Elizabeth Duncan Koontz Elementary School, spoke at the 2007 Elizabeth Duncan Koontz Humanitarian Awards. Recipients were Dr. Phillip Burgess, Ms. Lillian Morgan, and Mr. Henry Diggs.

Ms. Corry reviewed photographs of the Let’s Get Connected Day event, the Mayor’s Spirit Luncheons, the Integration Plaque dedication, La Fiesta de Rowan, and the International Center for Latino Initiative.

2008-09 Goals

- Enhance community harmony and promote awareness of Salisbury-Rowan’s growing multiculturalism and diversity
- Improve community relations in the Salisbury-Rowan area
- Improve internal and external communications and operation of the SRHRC

FY2008-09 Goals Requiring Funding

• Covenant Community Connection Activities	\$3,000
• Dr. Martin Luther King, Jr. Breakfast	\$2,500
• SRHRC Training	\$2,000
• Elizabeth Duncan Koontz Award Banquet	\$2,500
• Youth Human Relations Programs	\$1,000
• Hispanic Coalition Activities	\$3,000
• Administrative Expenses	\$1,350

FY2008-09 Goals Requiring Funding

• Human Relations Council Department Establishment		
	Salary	Benefits
• Human Relations Director	\$70,000	\$27,000
• Human Relations Specialist	\$40,000	\$17,000
• Office Assistant	\$26,000	\$11,000
Request City Portion	\$75,000	\$27,500
Total Request for City Funding		\$105,500

(Includes Human Relations Expenses and previous funding level of \$3,500)

Alternative Funding \$118,850
 (Includes Rowan County funding and previous sponsorships of \$13,350)

Mayor Kluttz thanked Ms. Corry and members of the Salisbury-Rowan Human Relations Council for their work throughout the year. She noted that Council will consider each recommendation during its budget worksession.

Planning Board

Dr. Mark Beymer, Chairman of the Planning Board, and Mr. Preston Mitchell, Staff Liaison, presented the Highlights and Goals for the Salisbury Planning Board.

2007 Year in Review

- Fourteen (14) Zone Change Petitions
 - Eleven (11) approved by Council
- Two (2) Zoning Text Amendment Petitions
- Multi-area Statutory Annexation Zoning
- Forty-four (44) Group Development Applications
- Ten (10) Subdivision applications
- Two (2) notable text amendment petitions
 - Sign Ordinance Amendments
 - Historic Signs (adopted)
 - Group Development Signs (adopted)
 - Electronic Changeable Copy (awaiting City Council action)
 - Nonconforming signs (deferred)
 - Churches in Residential Districts (adopted)
 - Land Development Ordinance

2007-2008 Goals and Projected Completion

- Review and provide to City Council a recommendation of approval on the proposed Land Development Ordinance – Done
- Review and provide to City Council a recommendation of approval on the North Main Street Small Area Plan – Done
- Begin reconsideration of the Highway 70/Statesville Boulevard Corridor Plan – Coming March 2008
- Review and provide a recommendation to City Council on the Comprehensive Bicycle Plan – on-going
- Begin investigation of large-scale subarea planning for industrial areas and industrial corridors – Coming July 2008
- Conduct a minimum of three (3) Board training exercises – done

2007 Goals Review

- Unanimous recommendation of approval on the Land Development Ordinance – October 23, 2007
- Unanimous recommendation of approval on the North Main Small Area Plan – June 19, 2007

2008-2009 Goals

- Have a board legislative committee convene in March to begin the study and development of the Highway 70/Statesville Boulevard Corridor Plan
- Have a board legislative committee convene in May to begin the study and development of the Highway 29/I-85 Subarea plan
- Have a board legislative committee convene in July to begin the study and development of the Faith Road, Jake Alexander Boulevard, Stokes Ferry Road Small area plan
- As the Land Development Ordinance is implemented and administered, continue to monitor the Technical Review Committee (TRC) via the board appointed TRC liaison. Monitor means that the Planning Board recognizes their responsibility as an ex-officio member and looks to keep the board abreast of all TRC actions, issues, concerns, etc.
- Conduct a minimum of three (3) board training exercises – one (1) of which needs to focus on LDO-related training, especially for the new conditional district overlay

Mayor Kluttz thanked the members of the Planning Board for their dedication and work.

Greenway Committee

Ms. Carole Massey, Greenway Committee, and Mr. Kenny Roberts, Staff Liaison, presented the Highlights and Goals for the Salisbury Greenway Committee.

2007 Highlights

- Salisbury Fit Community Designation
- Crescent to Meadowbrook Trail
- Trail Sponsorship Program
- Overton Elementary School Earth Day Celebration
- 10th Annual Run/Walk for the Greenway
- Cooperative Programming

2008 Goals

- Complete construction of trail: Crescent to Meadowbrook
- Support Land Management and Development's Fit Community Grant proposal
- Acquire easements for Phase 3 trail development
- Partner with Horizons Unlimited to conduct a blue bird survey
- Continue annual programs/events
 - Supervised Walking program
 - Earth Day Celebration
 - 5K Run/Walk for the Greenway
 - Land Trust for Central North Carolina tree decoration event

Mayor Kluttz noted that Council was very proud to have been named a Fit Community and she thanked the Greenway Committee for their work. She added that she felt Salisbury is a citizen based government and depends on the work and recommendations of its volunteers. She expressed Council's gratitude for all of the work done by the volunteers.

Mayor Kluttz announced that Council will consider appointments to its Boards and Commissions in March 2008 and if anyone is interested in serving they can find information online at www.salisburync.gov or by calling City Clerk Myra Heard 704-638-5224.

LAND DEVELOPMENT ORDINANCE TEXT AMENDMENT LDOTA-01-2008

(a) Mr. Preston Mitchell, Senior Planner, informed Council that this is the first set of text corrections and clarifications to the newly adopted Land Development Ordinance. He stated that staff knew there would be corrections once the new Ordinance was adopted and staff understands it will need to be fine tuned.

Mr. Mitchell clarified the addition of the Airport Zoning Overlay (AZO) as an appendix of the new Land Development Ordinance. He stated that this is not new and the AZO existed under the old ordinance but was inadvertently omitted in the new Land Development Ordinance. He noted that the Land Development Ordinance will state that the AZO provisions adopted February 1, 2005 will remain in full force and effect.

Mr. Mitchell pointed out a correction on page 5, Section 6(b)(3) and noted that principle should be spelled principal in that particular line. He also noted that on page 6, Section 15.3, additional clarification has been made that map amendments, conditional districts and vested rights public hearings will follow all requirements in the Land Development Ordinance, special use permits and variances will follow B, C and D, and text amendments will follow A and B of sections listed in the Land Development Ordinance.

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

Mr. Bruce Kelkebeck, Plant Manager of Baja Products, stated his business is located near the end of the airport runway and asked if copies of the new ordinance will be published.

Councilman Lewis stated that the Ordinance is posted on the City's webpage and the Ordinance being addressed today is cleaning up the text of the adopted Land Development Ordinance.

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

(c) Councilman Lewis stated that the City Council hereby finds and determines that adoption of an ordinance to amend the Land Development Ordinance of the City of Salisbury is consistent with the goals, objectives, and policies of the Comprehensive Plan and that adoption of the ordinance is reasonable and in the public interest. Thereupon, Mr. Lewis made a **motion** to adopt an Ordinance amending the Land Development Ordinance of the City of Salisbury, North Carolina, by amending sections 2.6, 5.3.E, 5.7.A & B, 5.8.A, 6.5, 15.3, 15.4.B, 15.8.A, 15.9.A, 15.16.F, 15.21, 16.3, 16.4, and 16.7.A and principal instead of principle. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA, BY AMENDING SECTIONS 2.6, 5.3.E, 5.7.A & B, 5.8.A, 6.5, 15.3, 15.4.B, 15.8.A, 15.9A, 15.16.F, 15.21, 16.3, 16.4, AND 16.7.A.

(The above Ordinance is recorded in full in Ordinance Book No. 22 at Page Nos. 4-11, and is known as Ordinance No. 2008-03.)

IRS VITA SITE AT PARK AVENUE COMMUNITY CENTER

Mr. Lou Manning, President of the Park Avenue Redevelopment Corporation (PARC), stated that PARC is hosting an Internal Revenue Service (IRS) Volunteer Income Tax Assistance (VITA) site at the Park Avenue Community Center located at 632 Park Avenue. He indicated that volunteers will prepare 2007 Federal and State tax returns at no charge for persons with yearly incomes of \$40,000 or less. He noted that the site will be open on Saturdays, January 19, 2008 through April 12, 2008, by appointment only.

Mr. Manning stated that in 2006 VITA prepared thirty-eight (38) tax returns and collected \$25,453 in tax credits. He noted that their goal for 2008 is to do one hundred (100) tax returns and they are well on their way to achieving their goal.

Mayor Kluttz thanked Mr. Manning and all the volunteers who are willing to offer their time to help others. She indicated that this initiative started because the City was alarmed by how many thousands of dollars of tax credits are not collected by low income people and this is a wonderful way to help them. She stated that anyone who is interested in this free program can call 704-216-7542 to make an appointment.

RESOLUTION OF INTENT OF ANNEXATION

Mr. Joe Morris, Planning and Community Development Director, introduced Mr. Bill Duston and Mr. Greg Frances from the Centralina Council of Governments. Mr. Morris indicated that on January 15, 2008, City Council re-adopted a Resolution of Consideration establishing an area for potential annexation and growth. Mr. Morris noted that the next step in the annexation process is to adopt a Resolution of Intent identifying a particular area for annexation and he reviewed a map of the proposed annexation area. He pointed out that the proposed area consists of two thousand seventy-five (2,075) acres with a population of one thousand six hundred ninety-nine (1,699) people. He reviewed the proposed annexation schedule:

- Resolution of Consideration Re-adoption- January 15, 2008
- Council considers Resolution of Intent - February 5, 2008
- Council considers Annexation Report - February 19, 2008
- City holds a Public Information Meeting - March 27, 2008
 - Civic Center on Martin Luther King, Jr. Avenue
- Council holds a Public Hearing – April 8, 2008
 - City Hall Council Chambers
- Council considers adoption of the Annexation Ordinance – April 21, 2008
 - City Hall Council Chambers
- Effective date of proposed Annexation – June 30, 2008

Mr. Duston stated that the annexation schedule is governed by the North Carolina General Statutes and according to the Statues the City must wait seventy (70) days from the adoption of the Resolution of Intent for the Ordinance to be effective. He stated that the window to adopt the Ordinance will be in April 2008 and added that the earliest the ordinance can be adopted is April 18, 2008 with the next best date being April 21, 2008.

Thereupon, Mr. Lewis made a **motion** to adopt a Resolution stating the intent of the City of Salisbury to consider annexation of the area described herein (Mooresville Highway Area) and fixing the date of a public informational meeting for March 27, 2008 at 7:00 p.m. at the Salisbury Civic Center, and a public hearing for April 8, 2008 at 4:00 p.m. at City Hall on the question of annexation. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

A RESOLUTION STATING THE INTENT OF THE CITY OF SALISBURY TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF A PUBLIC INFORMATIONAL MEETING AND A PUBLIC HEARING ON THE QUESTION OF ANNEXATION.

(The above Resolution is recorded in full in Resolution Book No. 13 at Page Nos. 9-19, and is known as Resolution No. 2008-07.)

REQUEST FOR TWO-WAY TRAFFIC ON WATER STREET AND USE FOR ANDREW JACKSON MASONIC LODGE ANNUAL BRUNSWICK STEW SALE

Ms. Wendy Brindle, Traffic Engineer, reviewed a map of the Water Street area and indicated that the street is currently one-way from Kerr Street to Fulton Street. She pointed out that for the past seven (7) years the Andrew Jackson Masonic Lodge has requested to reverse the flow of traffic for their annual brunswick stew sale. She stated that staff has looked at a permanent change for the street and recommends that Water Street and the 300 block of Cemetery Street be permanently converted to two-way traffic. She indicated that Salisbury-Rowan Utilities and the Andrew Jackson Masonic Lodge are the only property owners and the change will not affect the traffic or parking.

Ms. Brindle stated that staff also recommends that Council allow one-way traffic in the Southbound direction on Water Street on February 28, 2008 for the Andrew Jackson Masonic Lodge brunswick stew sale.

Thereupon, Mr. Kennedy made a **motion** to adopt an Ordinance amending Section 13-329, Article X, Chapter 13 of the Code of the City of Salisbury, relating to one-way streets. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING SECTION 13-329, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO ONE-WAY STREETS.

(The above Ordinance is recorded in full in Ordinance Book No. 22 at Page No.12, and is known as Ordinance No. 2008-04.)

Thereupon, Mr. Kennedy made a **motion** to adopt an Ordinance amending Section 13-332, Article X, Chapter 13 of the Code of the City of Salisbury, relating to stop signs. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING SECTION 13-332, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO STOP SIGNS.

(The above Ordinance is recorded in full in Ordinance Book No. 22 at Page No.13, and is known as Ordinance No. 2008-05.)

Thereupon, Mr. Kennedy made a **motion** to allow one-way traffic in the southbound direction of Water Street Thursday, February 28, 2008 for the Andrew Jackson Masonic Lodge annual brunswick stew sale. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

WATER AND SEWER GIS INVENTORY

GIS Coordinator Kathryn Clifton updated Council on the water and wastewater infrastructure inventory conducted by GIS. The key personnel who worked on the inventory were Ms. Clifton; Mr. Patrick Kennerly, Salisbury-Rowan Utilities Administration; Mr. Trey Cleyton, GIS Analyst; Mr. Fred Mower, Retired GIS Technician; and Mr. Doug Burges, GIS Intern.

Ms. Clifton provided the background for the Utilities GIS:

- Salisbury-Rowan Utilities (SRU) created Planning/GIS Division in 2003
- Wastewater collection system mapping mandated by State for collection system permit
 - Replacement for inefficient and sometimes inaccurate paper records
 - Time-consuming process to manage water and sewer system failures

Phase I – Wastewater mapping

- Wastewater collection system mapping
- Completed summer 2005
- Inventory of all sewer features
 - Eight thousand (8,000) manhole inspections
 - Three hundred eighty (380) miles of sewer line
- Collected pictures, measurements and critical information
- Used in several SRU operations to enhance system management

Phase II – Water system mapping

- Inventory of all water features
 - Four hundred twenty (420) miles of water line
- Completed in spring 2007
- Used to support planning, modeling, and management of water infrastructure
 - Environmental Protection Agency (EPA) mandate for water system monitoring
- Information used by several city departments

Ms. Clifton reviewed applied examples of how the maps and information are being used by City departments to realize increased efficiency, incur cost savings and provide an enhanced level of service:

- Land Management and Development – Developmental Services
 - Scenario - Developer/citizen inquiries about water and sewer locations and availability
 - Without GIS it would take up to ½ working day to retrieve information
 - With GIS information can be retrieved in minutes
- Salisbury-Rowan Utilities Maintenance
 - Scenario – Water main break with disrupted service

- Without GIS it may take up to two (2) hours to isolate and shut down the water main breaks
 - With GIS water leaks may be isolated in as little as fifteen (15) minutes
- Fire Department
 - Formerly relied on paper maps to locate nearest hydrant to fire emergency
 - With GIS a laptop computer can be used en-route and choices made about fire hydrant location and how best to address a fire emergency
- Fire Insurance Rating
 - Layout and capacity of a community's water supply
 - Analysis in placement of new hydrants and emergency pre-planning
- Economic Development Support
 - Utilities infrastructure is critical "engine" for economic development
 - Utilities maps and information used in industrial expansion and grant projects
 - Recent examples – Town Creek Interceptor Project and Sunshine Manufacturing in Rockwell

Councilman Kennedy asked how Salisbury compares to other cities of comparable size in regards to our GIS programs. Ms. Clifton stated that Salisbury is ahead of other cities our size and that Salisbury aspires to be comparable to Greensboro and Charlotte. Mayor Pro Tem Woodson asked how long the inventory took to complete. Ms. Clifton responded that the inventory took four (4) years to complete.

Council thanked Ms. Clifton for the impressive work completed by the GIS Division.

RECOGNITION OF GIS COORDINATOR KATHRYN CLIFTON

Mr. Dan Mikkelson, Director of Land Management and Development, explained that Environmental Systems Resource Institute (ERSI) is the company that manufactures the Geographic Information System (GIS) software used by approximately eighty-five (85) percent of North Carolina local governments. He recognized Ms. Kathryn Clifton for being authorized by ESRI to teach Level II ArcGIS training. Mr. Mikkelson pointed out that there are only seven (7) people in North Carolina which have achieved this level of authorization. He noted that Ms. Clifton operates an ESRI Authorized Partner Education Center and that Salisbury is one (1) of three (3) cities in the Southeast to have this designation. He indicated that Ms. Clifton offers free training to City staff and also to people outside of the City which generates approximately \$30,000 in gross revenue. He added that this revenue is almost twenty (20) percent of the GIS budget.

Mayor Kluttz congratulated Ms. Clifton on her accomplishment and expressed Council's gratitude for bringing this recognition to Salisbury.

COMMENTS FROM THE CITY MANAGER

City Manager David Treme had no comments.

MAYOR'S ANNOUNCEMENTS

(a) 23rd Annual Future Directions and Goal Setting Retreat

Mayor Kluttz announced that the 23rd Annual Future Directions and Goal Setting Retreat will be held February 14-15, 2008.

(b) Council Member Bill Burgin

Mayor Kluttz congratulated Councilman Bill Burgin for the birth of a new grandson, Andrew Myers Burgin.

CLOSED SESSION

Mayor Kluttz asked for a motion to go into closed session concerning a personnel matter as allowed by NCGS 143-318.11(6).

Thereupon, Mr. Burgin made a **motion** to go into Closed Session concerning a personnel matter as allowed by NCGS 143-318.11(6). Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

RETURN TO OPEN SESSION

Thereupon, Mr. Woodson made a **motion** to come back into open session. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

Mr. Woodson stated that the Closed Session was regarding City Manager David Treme's annual evaluation and Council feels that in 2007 Mr. Treme accomplished all requests by the City Council and has done an excellent job.

Thereupon, Mr. Woodson made a **motion** that Mr. Treme gets a grade of excellent on his performance review and he gets a four (4) percent pay increase retroactive to December 14, 2007 when most other employees received their raises. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

Mayor Kluttz stated that the Council discussed Mr. Treme's dedication to the City, his professionalism, and the strong team that he has built. She added that he has

twenty-three (23) years experience with the City and he is very responsive to Council policy. She stated that an example of this dedication is the unexpected expenses the City experienced with the 2007 Fisher Street project. She stated the expenses were not budgeted and Council asked Mr. Treme to find the funds to complete the project. She added that Mr. Treme responded that he would find the money even if he had to collect quarters. Mayor Kluttz then presented Mr. Treme with a framed Mook's Place cartoon by Mr. Mark Brincefield depicting Mr. Treme searching for quarters in a sofa. Council thanked Mr. Treme for his work throughout the year.

ADJOURNMENT

Motion to adjourn the meeting was made by Burgin, seconded by Kennedy. All council members agreed unanimously to adjourn. The meeting was adjourned at 6:20 p.m.

Mayor

City Clerk