

Salisbury, North Carolina  
January 18, 2022

## **REGULAR MEETING**

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

**ABSENT:** None.

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

## **PLEDGE OF ALLEGIANCE**

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

## **RECOGNITION OF VIEWERS**

Mayor Alexander welcomed all viewers.

## **CHANGES TO THE AGENDA**

City Attorney Graham Corriher requested Council consider authorizing the Mayor to execute an agreement for the redevelopment of the Empire Hotel with Downtown Salisbury, Inc. and Brett Kreuger under the City Attorneys comments as Item 14-b.

## **ADOPTION OF THE AGENDA**

Thereupon, Councilmember Post made a **motion** to adopt the Agenda with the noted change. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Sheffield voted AYE, Councilmember McLaughlin voted AYE, Councilmember Post voted AYE, and Councilmember Smith voted AYE. (5-0)

## **PROCLAMATIONS**

Mayor Alexander proclaimed the following observances:

SCHOOL CHOICE WEEK  
CATHOLIC SCHOOLS WEEK

January 23-29, 2022  
January 30 – February 5, 2022

## **CONSENT AGENDA**

(a) Minutes

Adopt Minutes of the Regular meeting of January 4, 2022.

(b) Right-of-Way Encroachment – Spectrum

Approve a right-of-way encroachment for Spectrum for the installation of an underground bore in the 100 block of South Martin Luther King, Jr. Avenue per Section 11-24(27) of the City Code and subject to approval by the North Carolina Department of Transportation.

(c) Resolution - Upset Bid

Adopt a Resolution authorizing the upset bid process for the sale of Tax Map 005 Parcels 143 and 144 located in the 1200 block of West Fisher Street.

RESOLUTION SUPPORTING THE UPSET BID PROCESS FOR THE SALE OF TAX MAP 005 PARCELS 143 AND 144 LOCATED IN THE 1200 BLOCK OF WEST FISHER STREET.

(The above Resolution is recorded in full in Resolution Book No.16 at Page No. 3-4, and is known as Resolution 2022-03.)

(d) Voluntary Annexation – Cloninger Investments

Receive a request for voluntary annexation of Cloninger Investments for a proposed body shop located at 645 Julian Road, Tax Map 400 Parcel 053, and adopt a Resolution instructing the City Clerk to investigate the sufficiency of the request.

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIAGE A PETITION RECEIVED UNDER NORTH CAROLINA GENERAL STATUTE 160A-31, FOR VOLUNTARY ANNEXATION OF 3.24 ACRES (CLONINGER INVESTMENTS, INC.), LOCATED AT 645 JULIAN ROAD AND IDENTIFIED ON TAX MAP 400 PARCEL 053

(The above Resolution is recorded in full in Resolution Book No.16 at Page No. 5, and is known as Resolution 2022-04.)

(e) Contract – Withers Ravenel.

Authorize the City Manager to execute a contract with Withers Ravenel for an amount not to exceed \$30,905 for engineering services associated with the Watershed Analysis of Jump and Run Branch. Funds for this project were approved in the FY2021-2022 budget.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt the Consent Agenda as presented.

Councilmember Post asked how the City acquires the lots being sold through the upset bid process. City Engineer Wendy Brindle explained the Resolution adopted by Council starts the upset bid process and Council can discuss whether to accept or reject the offers at the upcoming meeting. She explained the goal is to get the property back into the market so the City can receive tax revenue on the parcel. Mr. Post requested additional information regarding the acquisition of future properties that come before Council through the upset bid process. Mayor Alexander asked if an appraisal is required for the properties. Ms. Brindle indicated most properties do not required an appraisal, and she noted if a lot is undeveloped staff may request a property value assessment.

Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Sheffield voted AYE, Councilmember McLaughlin voted AYE, Councilmember Post voted AYE, and Councilmember Smith voted AYE. (5-0)

**PUBLIC COMMENT**

Mayor Alexander opened the floor to receive public comments.

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

**DEMOLITION – 418 AND 420 SOUTH CRAIGE STREET**

Code Services Manager Michael Cotilla addressed Council regarding the proposed demolition of structures located at 418 and 420 South Craige Street.

Mr. Cotilla noted 418 South Craige Street is a commercial structure located in the historic West End community that has been on the chronic abatement list since 2018. He added the property has been noticed and the property owner consented to the demolition. He pointed out

staff agreed to waive \$3,180 worth of outstanding abatement liens. He added Code Services received a \$15,000 public donation of which \$12,000 will be used to assist with the demolition costs. He stated the demolition estimate is \$22,800 which will leave the property owner with an approximate demolition cost of \$10,800. He displayed photographs of the property, and he pointed out its dilapidated condition.

Mr. Cotilla referenced the property located at 420 South Craige Street, and he pointed out it is also a commercial structure located in the historic West End community. He indicated the required notices have taken place and the property owners agreed to the proposed demolition. He explained the property has three heirs, and he noted two have signed the consent form. He pointed out the third heir is out of state and it is taking longer to obtain the signature. He added the remaining \$3,000 of the public donation will be used to assist with the demolition costs for this structure. He stated the estimate for the demolition is \$6,800 which will leave the property owners with an approximate demolition cost of \$3,800. He reviewed photographs of the property, and he requested Council consider the proposed demolitions.

Mr. Cotilla thanked the Blanche and Julian Robertson Family Foundation who provided the donation to assist with the demolition cost.

Mayor Alexander convened a public hearing after due notice to receive comments regarding the proposed demolition of structures located at 418 and 420 South Craige Street.

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

Mayor Pro Tem Sheffield thanked Mr. Cotilla and staff for working with the property owners, and she pointed out the cleanup will be an asset to the community.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt an Ordinance to declare certain commercial and accessory structures located at 418 and 420 South Craige Street in the City of Salisbury, North Carolina, a nuisance, and order to demolish. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Sheffield voted AYE, Councilmember McLaughlin voted AYE, Councilmember Post voted AYE, and Councilmember Smith voted AYE. (5-0)

**ORDINANCE TO DECLARE CERTAIN COMMERCIAL AND ACCESSORY STRUCTURES LOCATED AT 418 AND 420 SOUTH CRAIGE STREET IN THE CITY OF SALISBURY, NORTH CAROLINA, A NUISANCE, AND ORDER TO DEMOLISH.**

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 14-15, and is known as Ordinance 2022-10.)

## **2022 FEDERAL ACTION PLAN**

Strategics Lobbyists Leslie Mazingo and Ron Hamm, City Attorney Graham Corriher and Administrative Services Director Kelly Baker presented the 2022 Federal Action Plan. Ms. Mazingo explained Strategics comes before Council annually with a Federal Action Plan that notes

the items the company will work toward on behalf of the City. She stated at the beginning of a new Congress Strategics staff meets individually with Councilmembers to discuss their priorities for the Federal Action Plan. She added between the first and second session of Congress Strategics works to modify the plan based on a meeting with the City's Management Team. She added Strategics offers suggestions based on what is taking place in Washington, D.C.

Ms. Mozingo presented the draft of the 2022 Federal Action Plan, and she noted there is time for input and feedback from Council. She noted Strategics staff will introduce the Plan to the delegation in Washington, D.C. Mr. Hamm pointed out the projects included in the Plan are in addition to working with members of the Congressional delegation which will put some of these projects in front of the federal agencies that have jurisdiction over the issues and grant funding to support the initiatives.

Ms. Mozingo pointed out the Federal Action Plan is a work in progress that can be adjusted as opportunities emerge.

Mayor Alexander stated she will be in Washington, D.C. for the United States Conference of Mayors annual meeting. She commented it would be helpful to have the updated 2022 Federal Action Plan during the trip, and she pointed out it is a living document that will require continued input from Council.

Mayor Alexander asked Councilmember McLaughlin and Councilmember Smith for comments regarding the plan. Councilmember Smith stated he would like to see how the Federal Action Plan affects local policy. He added the prior Council had discussion regarding the Plan, and he indicated he would like to know how the policy relates to the current local environment during the pandemic. Councilmember McLaughlin agreed with Mr. Smith, and he added new Councilmembers will be involved in revisions to the plan. Mayor Alexander agreed.

Mr. Hamm pointed out Strategics looked at the platforms on which Councilmembers Smith and McLaughlin ran such as inclusion, equity, and housing. He added if Council has an area of interest or questions it can reach out to Strategics staff.

Councilmember Smith stated he is interested in ways to incentivize developers to construct affordable housing.

Mayor Alexander asked Councilmember McLaughlin if there were any areas he would like to see covered in the Federal Action Plan. Mr. McLaughlin noted he has several topics that may be covered such as after-school and youth programs. He added he is also concerned about public safety and sustainable housing.

Councilmember Post requested smaller, energy-efficient transit vehicles and a point to point transit system be considered as an item for the Federal Action Plan. Mayor Alexander noted as federal funds become available there could be an opportunity for the City to participate in a pilot program. She pointed out the City previously received a grant for electric busses.

Thereupon, Councilmember Post made a **motion** to adopt the 2022 Federal Action Plan. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Sheffield voted AYE, Councilmember McLaughlin voted AYE, Councilmember Post voted AYE, and Councilmember Smith voted AYE. (5-0)

## **HOME-AMERICAN RESCUE PLAN PROGRAM**

Housing Planner Candace Edwards addressed Council regarding the proposed use of HOME-American Rescue Plan (ARP) program funds from the U.S. Department of Housing and Urban Development (HUD). She explained it is a new funding source and staff received guidance from HUD and from the Consortium the City participates in.

Ms. Edwards provided a program overview, and she pointed out ARP provided \$5 billion to assist vulnerable populations by providing housing, rental assistance, supportive services, and non-congregate shelter. She explained the City is projected to receive \$487,247 in funds and \$38,000 in administrative funds for a total of \$525,940. She stated qualified populations include those who are homeless or at risk of homelessness, those seeking to flee domestic violence, sexual assault, stalking, or human trafficking, and veterans who meet the stated criteria.

Ms. Edwards noted the City receives HOME Program funds annually through the Cabarrus-Rowan-Iredell Consortium. She explained the ARP program funds are separate and in addition to HOME and ARP funds the City already received. She added the funds are to be used for long-range planning and to bring new affordable housing for those facing homelessness through building, buying, or rehabilitating affordable housing to provide rent or home ownership assistance to low income families.

Ms. Edwards stated HUD requires an allocation plan that includes:

- A consultation with local housing authorities and others that provide services to the City's homeless population
- Public participation
- Needs assessment and gap analysis
- Submission of a completed plan for approval

Ms. Edwards noted the Consortium conducted a survey in November, and she pointed out the results supported buying, repairing, and building rental houses for qualified households, and purchasing abandoned and dilapidated rental properties to demolish and rebuild rental houses. She noted 74% believed the community needs non-congregate housing and 27% indicated it did not. She pointed out the survey results are in line with HOME-ARP goals:

- Goal 1 – to increase the supply of decent, affordable housing
  - Staff recommends allocating \$487,247 to meet this goal
- Goal 5 – Affirmatively further fair housing
  - Staff recommends allocating \$5,000 from the administrative funding for fair housing activities

- Goal 6 – Effectively plan and administer programs
  - Staff recommends allocating \$33,696 for program administration

Ms. Edwards stated the recommended budget is \$487,247 for non-congregate housing, \$33,696 for program administration, and \$5,000 for housing activities. She pointed out it is a multi-year program and there will be administrative costs associated with program implementation. She reviewed the timeline and citizen participation plan, and indicated she will present a Draft Allocation Plan and Budget at Council’s March 1, 2022 meeting with a 30-day comment period. She added staff will come before Council on April 12, 2022 for approval and the plan will be submitted to HUD.

Councilmember McLaughlin noted \$487,247 will be divided between organizations, and he asked how the organizations will be selected. Ms. Edwards noted applications have been received, but the Consortium needs approval from HUD before any recommendations can be made.

Mayor Pro Tem Sheffield clarified the City will not have rental properties. Ms. Edwards agreed, and she added contracts will be awarded to sub-grantees to meet the grant requirements.

Council thanked Ms. Edwards for her presentation.

## **REVISIONS TO UNIFORM CONSTRUCTION STANDARDS**

Public Works Director Craig Powers, Assistant Public Works Director Chris Tester, and Public Works Administrative Manager Michael Hanna addressed Council regarding revisions to the Uniform Construction Standards for residential street cross sections and erosion control for lots less than one acre. Mr. Powers explained staff noticed problems occurring due to increased development and wanted to address the issues in the Standards Manual.

Mr. Powers noted that roadways built with the current standards require significant maintenance within a few years of construction. He added there is limited budget for roadway maintenance so streets need to last and be easy to maintain. He pointed out streets are starting to fail five to 10 years after construction which pulls resources away from normal maintenance. He stated staff researched neighboring communities’ standards and found the City is lenient regarding new street requirements. He commented the City has a smaller cross section than the neighboring towns it researched. He displayed photographs of streets in The Gables subdivision, and he pointed out damage to the cross section. He stated when the homes were being constructed the road crumbled. He indicated staff built a temporary road to allow home owners access to their property. He explained staff did what it could to fix the road, but a contractor is needed to surface coat the street. He then displayed photographs of other damaged roads in the City.

Mr. Powers reviewed a diagram of the existing cross section, and he noted it is eight inches of stone with two inches of asphalt on top. He commented the surface asphalt is primarily made of sand which creates a smoother ride but lacks structure. He stated staff is proposing the City use the same cross section as Kannapolis which consists of eight inches of stone base, two inches of

surface, but it also adds a two and one-half inch layer of intermediate asphalt which has a bigger stone base that creates a bridge between the stone base and the surface course.

Mr. Powers explained maintaining streets that have two inches of asphalt is difficult because the asphalt is milled back to repave the street and there is nothing to bind with the new asphalt. He added staff is requesting Council consider approving a revision to the Uniform Construction Standards for new residential street cross section consisting of two inches of surface asphalt with two and one-half inches of intermediate asphalt on top of eight inches of compacted ABC stone base.

Councilmember McLaughlin asked about the life span of asphalt with the proposed cross section. Mr. Powers noted residential streets should last for 30 years. He explained staff conducts tests when it accepts new streets. He commented staff looks at a proof roll after the stone is installed, and then the contractor is allowed to pour the asphalt. He pointed out the streets in the photographs looked good when they were poured. Mr. Tester agreed with Mr. Powers, and he added the revisions should more than double the current street lifespan. He explained the revisions will double the amount of asphalt and it will have a stronger intermediate base that will sustain the street for a longer time. He noted developers want to pave the last inch of asphalt when they leave the development so the development is left with a nice paved street but it is not allowed with the current standards.

Councilmember McLaughlin asked if the City requires contractors to maintain the streets until the development is a certain percentage complete. Mr. Tester explained the City cannot accept the water and sewer utility until the street surface is accepted on top. He added once the City accepts maintenance of the street the developer can accept the water and sewer utility which is required to construct homes.

Mayor Alexander asked how the proposed requirements align with North Carolina Department of Transportation (NCDOT) requirements. Mr. Tester noted the proposal is similar to NCDOT cross section for a secondary road. Mayor Alexander asked what standards are being used when the City repairs or builds a street. Mr. Powers clarified the City does not build streets but it accepts subdivision streets. He stated the City inspects the streets and accepts them once the standards are met. He stated staff is requesting Council consider a higher quality standard before the streets are accepted.

Mayor Alexander asked how the new standards will affect developers that have development approvals. City Attorney Graham Corriher explained if a developer has an approved development permit it would be grandfathered with the old standard.

Councilmember McLaughlin asked about the cost of the new standards to homeowners. Mr. Tester note the new standards would increase the cost of the street by approximately 33%.

Interim City Manager Brian Hiatt stated in a normal housing market the market dictates the cost of the house. He pointed out in the current market the increased street cost would not have the impact it could have in a normal market.



Thereupon, Councilmember McLaughlin made a **motion** to approve revisions to the Uniform Construction Standards regarding residential street cross-sections and erosion control for lots less than one acre. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Sheffield voted AYE, Councilmember McLaughlin voted AYE, Councilmember Post voted AYE, and Councilmember Smith voted AYE. (5-0)

Mr. Hanna explained the City is permitted under a National Pollution Discharge Elimination System by the North Carolina Department of Environmental Quality (NCDEQ) to maintain water in the City. He added all land disturbing activity within the permitted City limits needs active erosion control practices. He explained Rowan County Erosion Control manages erosion control permits for parcels one acre and larger but there are no standards for developments under one acre.

Mr. Hanna stated turbidity, which is sediment or mud in the water, is the main water quality pollutant in North Carolina and after rain events mud tracking can take place on the streets.

Mr. Hanna noted staff created a schematic to give to developers when they apply for a zoning permit that provides a layout of the lot and how the water will flow from the property. He commented it advises where to install construction entrances, vehicle barriers, and seal fencing. He added some developers do not know how to install proper erosion control for smaller lots. He reviewed the Erosion Control Standard, and he pointed out if sediments are spilled, dropped, washed, or tracked into the streets or sidewalk it must be removed immediately and if anything is dragged in the sidewalk or streets it must be swept back each night. He pointed out if a developer does not properly maintain the regimen control measure penalties will be in place.

Mayor Alexander suggested as part of the permitting process developers be required to circle the solution they plan to use. Mr. Hanna noted the developer will be given an agreement to sign. Mr. Tester noted it is an agreement like the ones that are filled out for lots over one acre that go to Rowan County. He pointed out the County does not inspect anything under one acre and the proposal before Council will address lots under one acre. He noted the Planning Board indicated the measure is minimum erosion control that will not inflict severe cost on anyone, it works to keep the mud out of the streets and the sidewalk. Mr. Powers clarified the goal is to be upfront regarding erosion control.

Mayor Alexander thanked Mr. Tester, Mr. Powers, and Mr. Hanna for their presentation.

## **UPDATE – POLICE DEPARTMENT**

Police Chief Jerry Stokes reviewed the Police Department staffing, crime statistics and provided an overview of the Byrne Criminal Justice Innovation Grant.

Chief Stokes explained staff is working to streamline the hiring process to include automatic employment disqualifiers and to provide one interview panel. He added a statewide career fair will take place and include North Carolina State University, Elizabeth City State

University, the University of North Carolina at Chapel Hill (UNCC) and the University of North Carolina at Wilmington (UNCW).

Chief Stokes reviewed the historic perspective of staffing in 2001, 2011, 2016 and in 2021. He presented information regarding the number of budgeted officers sworn, patrol officers, detectives and CSI, and also reviewed the total violent crimes, homicides, and property crime. He commented on the violent crime, homicide rate and property crime rates for each of those years.

Chief Stokes provided information regarding homicide, rape, robbery, aggravated assault, total violent crimes and shots fired calls for 2021. He pointed out property crimes including burglary, motor vehicle theft, larceny, larceny from motor vehicle, arson, and total property and part 1 crimes totals. He indicated the department is seeing totals increase as people are out and businesses are open.

Chief Stokes reviewed a violent crime heat map where crimes most frequently take place. He noted the hottest areas are in the East Side near Cannon Park, Innes Street Market area, Zion Hills, Crossing Apartments in the West End and in the Statesville Boulevard area where an apartment complex is located.

Chief Stokes reviewed the historic crime trends and pointed out 2011 was the worst year for crime in the City with 2,313 crimes and the best year was in 2019 with 179 crimes.

Chief Stokes pointed out level one calls for shootings, bomb threats, home invasions, burglaries, robbery disturbance, domestic and hold up alarm call times increased 25.3%. He added the level 3 calls for abduction, robbery, burglary, burglar alarm, loud party, verbal disturbance or intoxicated person decreased call time by 1.2%. He commented the level 5 calls including fraud, phone threat, and theft from motor vehicle, prostitution, and drug offense call time increased by 25.7% increase. He commented the hold time is 22 minutes on average before an officer is able to respond.

Chief Stokes stated the opioid epidemic included 182 overdoses and 22 deaths in 2021, and he noted the incidents took place near where other violent crimes take place.

Chief Stokes reviewed information regarding the Byrne Criminal Justice Innovation (BCJI) Grant. He noted the grant is for the WEST END (West End Salisbury Transformed Empowered Neighborhood Development) from the Department of Justice Bureau of Justice Assistance grant. He indicated the grant is a three year award for \$800,000 with no requirement of local matching funds, but significant local commitment to the program from staff. He commented the goals are to build on past efforts to connect to the community with services, programs, and other resources to interrupt persistent cycles of violence and disorder. He added the proposed project is a collaboration with the Parks and Recreation Department and the Community Development Office to develop a Community Violence Intervention (CVI) Committee, develop or enhance recreational and public spaces to further collaborate with community groups, and connect and engage with youth and young adults for crime prevention and public safety.

Chief Stokes explained the BCJI Grant planning phase will take six months. He added to ensure coordination staff will employ a Project Coordinator to assist with organizing and guiding the grant activities and develop a CVI Committee to hold routine meetings to further develop community-based responses with possible CVI Committee Stakeholders. He pointed out the possible CVI Committee Stakeholders include:

- Community Development Corporation
- NAACP President Gemale Black
- JC Price American Legion Lodge
- West End Pride Group member
- West End Community Organization member
- Pastor Tim Bates
- Dr. Roy Dennis of Gethsemane Baptist Church
- Pastor of Moore's Chapel AME Zion Church
- Livingstone College representative
- Project Safe Neighborhoods Coordinator Lorenzo Debose,
- Brenner Crossing Apartments Manager
- Representatives from two Council appointed boards/commissions: Parks and Recreation Advisory Board Chair and Housing Advocacy Commission Chair
- Habitat for Humanity

Chief Stokes commented the CVI Committee activities will include the completion of a neighborhood survey on crime, housing and quality of life concerns, to gain a further understanding of contributing factors to crime within the pre-identified micro-blocks, and identify and collate community resources that may support implementation.

Councilmember Smith asked how the grant resources will be distributed. Chief Stokes pointed out staff had to create an initial budget and the CVI committee will determine how those funds will be distributed to meet the needs of the community.

Mayor Alexander asked if representatives from the Rowan-Salisbury School System will be involved on the CVI committee. Chief Stokes noted there is flexibility in building the CVI committee and stakeholders.

Councilmember McLaughlin asked how staffing issues have created issues for the department. Chief Stokes noted when an officer leaves it creates a heavier workload on the other officers and may cause them to leave as well.

Councilmember McLaughlin asked what percentage of crimes are due to gang violence, and he also asked what the average age is for gang member involvement. Chief Stokes noted the percentage is difficult to define, but there is a lot of gang involvement in crimes. He added the average age for gang members is less than 30 years of age, but he is unsure of the youngest age.

Councilmember McLaughlin asked what salary range is needed to keep officers from leaving. Chief Stokes pointed out being a Police Officer is a difficult market. He noted the City

was at the top of pay in 2017 but then fell behind. He noted he hopes to find ways to be competitive and add other incentives for those who come to work for the City.

Councilmember Post asked if the Police Department could be fully staffed by next year. Police Chief Stokes commented he is cautiously optimistic in being fully staffed. He indicated there is a need to look for different incentives to aide in recruitment to the City.

Interim City Manager Brian Hiatt noted there are staffing challenges in Police Departments in other cities, and he indicated further discussion will take place at the Planning Retreat next week including the status of the City's Compensation Study. He noted there is a hiring challenge within the City and all local governments due to resignations and career changes.

Councilmember Smith asked what happens if the Police Department is not fully staffed. Chief Stokes commented certain calls will not be answered. He added when calls go unanswered people feel more victimized.

Councilmember Smith asked how Council can mitigate the issues that are taking place in the City and assist the Police Department to become fully staffed.

Mayor Alexander pointed out the Rowan County Commissioners along with the Rowan-Salisbury School System is working towards a comprehensive and collaborative coalition to work closely with the Police Department to service the community and mitigate the rise in crime especially with the youth. She added it will be a community effort on every level.

Mayor Pro Tem Sheffield thanked Chief Stokes for his presentation and the great work he does for the City.

Mayor Alexander thanked Chief Stokes for his excellent work for the community and courageous leadership.

### **APPOINTMENT – ECONOMIC DEVELOPMENT COMMISSION**

Mayor Alexander pointed out a request was received from the Economic Development Commission to appoint Breck Dorton to fill a term that expires on December 13, 2023.

Upon a **motion** made by Councilmember Post and Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin and Smith voting AYE the following appointment was made to the Economic Development Commission to fill an unexpired term:

Mr. Breck Dorton

Term Expires 12/23/2023

### Community Appearance Commission

Mayor Pro Tem Sheffield noted Mr. William Mason resigned from the Community Appearance Commission (CAC). She requested Ms. Julia Apone be appointed to the unexpired term.

Upon a **motion** by Mayor Pro Tem Sheffield and Mayor Alexander and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment was made to the Community Appearance Commission to fill an unexpired term:

Ms. Julia Apone

Term Expires 03/31/2023

### CITY ATTORNEY'S REPORT

#### (a) City Code Revisions

City Attorney Graham Corriher presented information for the second reading of the revisions to the Code of Ordinances to comply with the General Assembly and Senate Bill 300. He added it is required for City Council to review and delineate which of its local Ordinances will be enforced with criminal penalties. He added he and Police Chief Jerry Stokes reviewed the Ordinances and through Council feedback further revisions were made.

Mr. Corriher noted he met with Diversity, Equity and Inclusion (DEI) Director Anne Little to develop a process with the Human Relations Council (HRC) to identify if there are other stakeholders that need to be involved during the Ordinance review. He noted if any issues are identified with the specific set of Ordinances he has presented that Council retains the authority to amend the ones being adopted and make change in the future if needed.

Thereupon, Councilmember Post made a **motion** to adopt an Ordinance amending various chapters of the Code of Ordinances for the City of Salisbury to comply with North Carolina Session Law 2021-138. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Sheffield voted AYE, Councilmember McLaughlin voted AYE, Councilmember Post voted AYE, and Councilmember Smith voted AYE. (5-0)

ORDINANCE AMENDING VARIOUS CHAPTERS OF THE CODE OF ORDINANCES FOR THE CITY OF SALISBURY TO COMPLY WITH NORTH CAROLINA SESSION LAW 2021-138.

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 16-43, and is known as Ordinance 2022-11.)

#### (b) Empire Hotel

City Attorney Corriher asked Council to approve an agreement with Downtown Salisbury, Inc. (DSI) and Developer Brett Krueger regarding the Empire Hotel redevelopment. He indicated

this will be one step in the process, and he added DSI owns the hotel and works in partnership with the City regarding its redevelopment.

Mr. Corriher noted himself, Mr. Krueger, Planning Director Hannah Jacobson and DSI Director Sada Troutman negotiated a draft of Memorandum of Understanding (MOU) to provide a period of exclusivity with the developer to have six months to provide a fully developed proposal for the Empire Hotel redevelopment with financial sources in place, and full development plans. He added at end of that period it gives the City the opportunity to negotiate a final Empire Hotel development agreement.

Mr. Corriher asked Council to consider the MOU between the City, DSI, and Mr. Krueger that allows the City to negotiate with Mr. Krueger exclusively for the next six months. He noted Mr. Krueger will bring a fully developed plan to DSI and the City for consideration.

Mayor Pro Tem Sheffield made a **motion** for Council to authorize the Mayor to enter into a MOU with DSI and Developer Brett Krueger regarding the Empire Hotel. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Sheffield voted AYE, Councilmember McLaughlin voted AYE, Councilmember Post voted AYE, and Councilmember Smith voted AYE. (5-0)

### **CITY MANAGER'S REPORT**

Interim City Manager Brian Hiatt noted Council's Planning Retreat will take place on January 27, 2022 and January 28, 2022. He asked for Council's consideration for the Retreat to take place as a socially distanced hybrid meeting in Council Chambers. Mayor Pro Tem Sheffield indicated she liked the idea of being together but socially distanced. Mayor Alexander requested safety protocols take place including wearing masks. Mr. Hiatt agreed. Mayor Pro Tem Sheffield asked if the facilitator will attend in person. Mr. Hiatt agreed, and he noted those to attend in person include himself, City Clerk Kelly Baker, Facilitator Warren Miller, City Attorney Graham Corriher and Council. By consensus, Council agreed for its Planning Retreat to take place as a hybrid meeting in Council Chambers.

### **COUNCIL COMMENTS**

Councilmember Post commented on the passing of Mr. Tony Hillian. Councilmember Smith commented on the legacy Mr. Hillian leaves in the community. He added Mr. Hillian was a well-rounded person who loved the community and served with joy. Mayor Alexander noted Mr. Hillian served as an elected official and was a community advocate.

### **MAYOR PRO TEM COMMENTS**

Mayor Pro Tem Sheffield commented Tony Hillian was a peer, a City employee, and will be remembered by many for his community involvement.

Mayor Pro Tem Sheffield thanked staff for its work during the snow and ice events.

Mayor Pro Tem Sheffield thanked everyone who was involved in the Dr. Martin Luther King, Jr celebration.

### **MAYOR'S ANNOUNCEMENTS AND COMMENTS**

Mayor Alexander thanked staff for all it did for the City during the recent winter weather events. She also noted the City has a great community that works together and meets the community's needs.

(a) Proposed Social District

Mayor Alexander announced Downtown Salisbury, Inc. invites the community to attend a public engagement session to provide input on a proposed Social District. The input and information sessions will be held on the following dates and locations:

- Wednesday, January 19, 2022 at 5:30 p.m., at Mean Mug
- Thursday, January 20, 2022 at 5:30 p.m., virtually
- Wednesday, January 26, 2022 at 8:30 a.m., at City Hall and virtually

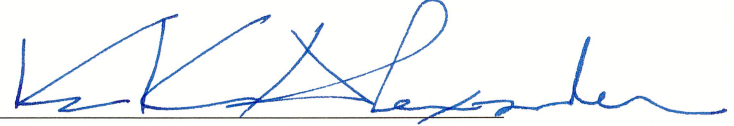
(b) Wine About Winter

Mayor Alexander announced Wine About Winter is postponed until summer 2022. Additional information is available on the DSI website and social media. Ticketholders will receive an email in the coming weeks which provides instructions on how to transfer their ticket to the new date or receive a full refund. Ticketholders can also request a refund by emailing [dsiinfo@salisburync.gov](mailto:dsiinfo@salisburync.gov) or calling (704) 637-7814.

### **ADJOURNMENT**

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

The meeting was adjourned at 9:13 p.m.

  
Karen Alexander, Mayor

  
Kelly Baker, City Clerk