

Salisbury, North Carolina
September 7, 2021

REGULAR MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Al Heggins, Council Members William Brian Miller, David Post and Tamara Sheffield; City Manager W. Lane Bailey, City Clerk Kelly Baker; and City Attorney J. Graham Corriher.

ABSENT: None.

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

Councilmember Post explained today is Rosh Hashanah, the Jewish New Year, and he wished everyone the same.

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

Councilmember Miller made a **motion** to remove Item 9 – Council to receive a presentation from representatives of the Professional Firefighters of Salisbury from the Agenda. Mayor Pro Tem Heggins requested additional discussion.

Councilmember Miller explained he does not believe it is proper protocol to bring Item 9 directly to Council. He noted a procedure exists within the City to go through a chain of command and when grievances are brought directly to Council it violates that procedure. He pointed out Council agreed to a salary increase for firefighters and a compensation study for the entire City. He suggested the request go through the designated channels and then a recommendation be brought to Council.

Mayor Pro Tem Heggins questioned how the process is supposed to work, and she indicated the concerns have been brought to Fire Chief Bob Parnell and City Manager Lane Bailey. She requested Council receive a copy of the original budget requests submitted by Chief Parnell. She questioned the amount of overtime firefighters are working and how many firefighters have taken positions with other departments or put in applications with other municipalities. She asked if the City provides a special separation allowance for firefighters.

Councilmember Miller noted if the precedent is set that employees can come directly to Council to air their grievance it is a bad policy. He added it is best for grievances to go through the proper chain of command. He stated no one would dispute the essential nature of firefighters. He clarified the issue is not whether Council supports firefighters, the issue is it is wrong to go outside of the processes of a City management structure. He stated the issue is not going away but it needs to go through the proper channels.

Mayor Pro Tem Heggins explained she does not see this as going outside of a process. She indicated the firefighters have gone to the City Manager and the Fire Chief and Council is the top of the organization. She commented if firefighters cannot come to Council and say their working conditions are not optimal it is a bad policy.

Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted NO, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-1)

ADOPTION OF THE AGENDA

Thereupon, Councilmember Miller made a **motion** to adopt the Agenda with the noted change. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted NO, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-1)

PROCLAMATIONS

Mayor Alexander proclaimed the following observances:

FIRST RESPONDER'S DAY	September 11, 2021
AMERICAN LEGION HAROLD B. JARRETT POST 342 75 TH ANNIVERSARY DAY	September 18, 2021
CONSTITUTION WEEK	September 17-23, 2021
GO TRANSIT MONTH	September 2021
LIBRARY CARD SIGN-UP MONTH	September 2021
SUICIDE PREVENTION MONTH	September 2021
HISPANIC AND LATINO HERITAGE MONTH	September 15 – October 15, 2021

CONSENT AGENDA

(a) Minutes

Adopt Minutes of the Regular meeting of August 17, 2021 and the Special meetings of August 23, 2021 and August 30, 2021.

(b) Right-Of-Way Encroachment – Spectrum

Approve a right-of-way encroachment by Spectrum for the installation of directional bored duct on Circle M Drive per Section 11-24(27) of the City Code and subject to approval by the North Carolina Department of Transportation.

(c) Right-Of-Way Encroachment – Spectrum

Approve a right-of-way encroachment by Spectrum for the installation of directional bored duct on Cedar Springs Road per Section 11-24(27) of the City Code and subject to approval by the North Carolina Department of Transportation.

(d) Budget Ordinance Amendment – Lowes 100 Hometowns Grant for BlockWork

Adopt a budget Ordinance amendment to the FY2021-2022 budget in the amount of \$100,000 to appropriate a Lowes 100 Hometowns grant for BlockWork.

ORDINANCE AMENDING THE 2021-2022 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE REVENUE BLOCKWORK DONATION.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 146, and is known as Ordinance 2021-62.)

(e) Voluntary Annexation Grants Landing

Receive a request for voluntary annexation of Grants Landing, parcels 462-006 and 460-152, submitted by Forest Glen, Inc., Grace Steele Kent, and Charles Edward Steele 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 GENERAL STATUTE 160A-31, FOR VOLUNTARY ANNEXATION OF 77.803 ACRES, LOCATED OFF ROWAN MILL ROAD AND IDENTIFICATION ON TAX MAP 460 PARCEL 152 AND MAP 462 PARCEL 006.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 22, and is known as Resolution 2020-20.)

(f) Upset Bid – Grim Street

Adopt a Resolution authorizing the upset bid process for the sale of parcel 005-140-01 located on Grim Street.

RESOLUTION SUPPORTING THE UPSET BID PROCESS FOR THE SALE OF PARCEL 005-140-01 LOCATED ON GRIM STREET.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 23-24, and is known as Resolution 2020-21.)

Thereupon, Councilmember Post made a **motion** to adopt the Consent Agenda as presented. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

Mr. Jamal Livingston addressed Council regarding his grievance as a former employee of the Salisbury Police Department.

Mayor Pro Tem Heggins asked if Mr. Livingston's comments were sent to Council in writing. City Clerk Kelly Baker noted Council did not receive Mr. Livingston's comments in writing. Mayor Pro Tem Heggins asked Mr. Livingston to send his comments to the City Clerk.

Mr. George Benson voiced his concerns regarding Council's willingness to hire an Interim City Manager from outside the organization and he suggested using an internal candidate.

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

CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

Housing Planner Candace Edwards addressed Council regarding the City's FY2021-2022 Consolidated Annual Performance Evaluation Report (CAPER) on the use of Community Development Block Grant (CDBG) and HOME Program funds. Ms. Edwards reviewed the annual budget:

CDBG Funds	\$287,229
CDBG-CV (1)	\$168,950
Program Income	\$20,000
<u>HOME Program Funds</u>	<u>\$97,200</u>
Total	\$873,379

Ms. Edwards referenced goals from the 2020-2021 Action Plan:

- Goal 1 – Increase supply of decent affordable housing
 - Owner-occupied rehabilitation
 - Goal of rehabilitating five units of homeowner housing (partially met)
- Goal 2 – Public facilities and infrastructure
 - Public infrastructure improvements to Lash Drive
 - Work was delayed but should be completed in current fiscal year
- Goal 3 – Provide opportunities for home ownership
 - Down payment assistance program
 - Down payment assistance was provided to a low-income family for the purchase of their first home in the Jersey City neighborhood
- Goal 4- Public services
 - To assist 150 people with non-housing public service benefits
 - To assist 150 people with homelessness prevention
 - Goal was exceeded as the City partnered with various agencies
- Goal 5 – Promote business growth and a robust workforce
 - To provide loans to 20 minority and women owned businesses
 - City partnered with Kiva, Self-Help Credit Union, and multiple jurisdictions in the region (goal will be completed in current fiscal year)
- Goal 6 – Planning and Administration
 - Implement a well-managed community development program

Ms. Edwards reviewed CDBG budget trends, and she noted the City received \$2,788 less in FY2020-2021 than it received in FY2019-2020. She indicated the HOME Program fund was decreased by \$37,002 in FY2020-2021. She then reviewed the timeline for public participation and review. She pointed out final comments will be added to the CAPER draft on September 20, 2021 and the final draft will be submitted to the United States Housing and Urban Development (HUD) on September 24, 2021 for its review.

Councilmember Sheffield referenced the goal of rehabilitating five homeowner housing units, and she asked about completion of the projects. Ms. Edwards stated getting the supplies needed to complete the projects has been difficult. She explained the funds will roll over and the remaining projects should be completed in the current fiscal year.

b) Mayor Alexander convened a public hearing, after due notice thereof, to receive comments regarding CAPER on the use of Community Development Block Grant (CDBG) and HOME Program funds.

There being no one to address Council, Mayor Alexander closed the public hearing and indicated comments regarding CAPER on the use of Community Development Block Grant (CDBG) and HOME Program funds will be accepted for 24 hours from the close of the public hearing. She noted citizens can email or call Ms. Edwards for additional information.

Council thanked Ms. Edwards for her presentation.

EMPLOYEE VACCINE INCENTIVE PROGRAM AND PLAN FOR PREMIUM PAY

Human Resources Director Ruth Kennerly and Finance Director Wade Furches discussed two programs for employees using American Rescue Plan Act (ARPA) funds.

Mayor Alexander indicated she had asked City Manager Lane Bailey about incentives being offered in other municipalities. Mr. Bailey noted Human Resources Director Ruth Kennerly had been monitoring incentives offered by other local governments. He stated the City organization's vaccination rate is at approximately 36%, and he hopes these incentives will help promote the health and safety of employees as they work with the public.

Ms. Kennerly stated Human Resources is continually monitoring what other organizations are doing and that was taken into consideration when developing the proposal. She described a recommendation to provide vaccination incentives, and she recommended a \$250 bonus for all fully vaccinated employees and an additional \$250 when 60% of the organization is vaccinated. She noted fully vaccinated employees are currently eligible for three annual leave days, and she stated the deadline for turning in vaccination cards for the annual leave days is October 29. She recommended the deadline be extended to December 31.

Ms. Kennerly noted incentives from other municipalities range from \$400 to \$600. Mayor Pro Tem Heggins noted the recommendation is to use ARP funds for the incentives, and she asked if the final guidelines have been received. Mr. Bailey noted the final ruling had not yet been released, but the recommendation is based on what other communities are doing as an approved use.

Councilmember Post asked if there is an estimated cost for the vaccine incentive. Mr. Bailey noted the two plans being presented are \$1.3 million for the lower plan or \$1.53 million for the higher plan. He noted the City has received half of its total \$7.2 million allocation. Mayor Alexander noted the information provided to Council states it would cost \$130,000 if the City reaches the 60% vaccination rate.

Councilmember Sheffield asked to clarify the timeframe for employees to become fully vaccinated. Ms. Kennerly stated the recommendation is to set a deadline of December 31 to give employees time to get both doses of the vaccines.

Mayor Pro Tem Heggins clarified the plans being presented are internal, and she asked if there will be an opportunity to discuss external use of the funds. Mr. Bailey indicated staff has been discussing different options for use of the funds, and the recommendations will be brought to Council in the future.

Councilmember Sheffield stated if the incentives get people vaccinated she is in support. She added she would support adding an additional \$250 incentive if the organization reaches 75% in order to increase the number of vaccinated employees. Councilmember Post agreed with implementing an incentive for a 75% vaccination rate.

Thereupon, Councilmember Post made a **motion** to approve a vaccine incentive of \$250 for all employees who are fully vaccinated by December 31, 2021, and a second \$250 incentive for all vaccinated employees when 65% of the organization is fully vaccinated, and a third \$250 incentive for all fully vaccinated employees when the organization reaches a 75% vaccination rate. There was discussion about the increased cost for the third incentive, and Finance Director Wade Furches indicated if the City reaches 75% vaccination rate the total cost for the incentive program would be approximately \$200,000. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)

Mr. Furches reiterated that the vaccine incentives and the premium pay bonuses are funded fully with ARP funds. He presented two proposals to provide a one-time bonus (premium pay) for employees who worked throughout the pandemic. He presented the two proposals:

Plan A

	Essential Critical	Essential Non-Critical
Full time – hired before 10/1/2020	\$3,500	\$2,500
Hired between 10/1/2020 – 10/31/2020	\$1,750	\$1,250
Hired 1/1/2021-3/31/2021	\$1,000	\$500
Hired 4/1/2021 – 7/4/2021	\$500	\$250

Plan B

	<u>Essential Critical</u>	<u>Essential Non-Critical</u>
Full time – hired before 10/1/2020	\$3,000	\$2,000
Hired between 10/1/2020 – 10/31/2020	\$1,500	\$1,000
Hired 1/1/2021-3/31/2021	\$750	\$500
Hired 4/1/2021 – 7/4/2021	\$500	\$250

One-time Bonus Part-time Employees

	<u>Plan A</u>	<u>Plan B</u>
1,000 hours or more worked	\$1,500	\$1,000
Worked 500 – 999 hours	\$1,000	\$750
Worked 200 – 499 hours	\$750	\$500
Worked 100 – 199 hours	\$500	\$250
Worked 50 – 99 hours	\$200	\$200
Worked less than 50 hours	\$0	\$0

Ms. Kennerly noted this is a great opportunity to thank employees for their work during the pandemic. Mr. Furches stated Plan A is estimated to cost \$1.53 million and Plan B is estimated to cost \$1.3 million. Mayor Alexander asked if the totals for both plans also included the incentive for part-time employees. Mr. Furches agreed.

Mayor Alexander noted there is a small percentage difference between the two plans and she supports Plan A. Councilmember Post agreed and noted Plan A reflects Council’s appreciation for employees’ work. He asked if employees are required to maintain employment for a certain period of time after receipt of the bonus. Councilmember Miller noted the bonus pay will be for work already completed. Councilmember Sheffield agreed and noted she thinks employees have already earned the bonus.

Councilmember Sheffield asked about the differentiation between critical and non-critical. Mr. Furches explained department directors determined the employees deemed critical or non-critical, and he noted the critical workers were those who were on the front-lines and at greater risk for exposure.

Thereupon, Councilmember Post made a **motion** to approve a one-time bonus for employees using Plan A provided by the City Human Resources and Finance Directors. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)

CITY ATTORNEY'S REPORT

(a) Ordinance Amendment – Voluntary Annexation

City Attorney Graham Corriher noted he worked with the Salisbury-Rowan Utilities (SRU), Engineering, and Planning departments regarding proposed revisions to the Code of Ordinance Chapter 25 Section 25-88. He explained the proposed revisions address requirements for when connection to the SRU water and sewer system is requested. He indicated since SRU is county-wide there is overlap in communities, and he added these provisions deal with voluntary annexation when a client who is outside the City limits requests connection with SRU.

Mr. Corriher explained the proposed revisions to the Ordinance and instances in which the City Manager can waive specific requirements. He pointed out information regarding utility extension agreements which set minimum standards, and he added if there is an unusual request that was not considered in the proposed revisions of the Ordinance, the item will be brought to Council for consideration.

Mr. Corriher pointed out the Ordinance includes annexation agreements and how to work with other local government agencies regarding the overlap in jurisdictions and how to enforce the Ordinance. He indicated the proposed changes are an effort to clarify the existing Ordinance and make the requirements clear to those who request utility services with SRU.

Councilmember Miller commented the provisions provide clarity of what is already in place and makes it user friendly for those applying. He asked about existing annexation agreements. Mr. Corriher pointed out the annexation agreements are still being worked on, but the provisions to the ordinance explains if an overlap would be controlled by the agreement.

Thereupon, Councilmember Miller made a **motion** to Ordinance amending Chapter 25 of the Code of Ordinances of the City of Salisbury to require voluntary annexation for connection to the City water and sewer system. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)

ORDINANCE AMENDING CHAPTER 25 OF THE CODE OF ORDINANCES OF THE CITY OF SALISBURY TO REQUIRE VOLUNTARY ANNEXATION FOR CONNECTION TO THE CITY WATER AND SEWER SYSTEM.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 147-149, and is known as Ordinance 2021-63.)

CITY MANAGER'S REPORT

City Manager Lane Bailey had nothing to report to Council.

COUNCIL COMMENTS

Councilmember Sheffield announced BlockWork will take place October 19, 2021 and October 23, 2021. She noted residents can sign up to volunteer by contacting Urban Design Planner Alyssa Nelson.

Councilmember Sheffield pointed out a 9/11 Remembrance event will take place Saturday, September 11, 2021.

Councilmember Sheffield requested information regarding specific concerns of the Fire Department and City Manager Lane Bailey and Fire Chief Bob Parnell's perspective regarding what has been done to address those concerns. Mr. Bailey noted he will provide the information to Council.

Councilmember Post explained the Pickleball courts are being used a great deal, and he noted other organizations are exploring ways to extend the number of courts to accommodate the demand.

Councilmember Post commented in just five to six weeks of the KIVA program being available in Salisbury there are 17 loan applications being considered and five pending approval. He noted KIVA has had policy changes regarding its matching formulas, and he added he will speak with City Manager Lane Bailey regarding those changes. He pointed out it is great that 17 small minority business owners who would not qualify without the KIVA program are seeking loan assistance. Mayor Alexander congratulated the efforts, and she noted it is exciting news.

MAYOR PRO TEM COMMENTS

Mayor Pro Tem Heggins requested information prior to the next Council meeting from City Manager Lane Bailey and Fire Chief Bob Parnell regarding when the Professional Firefighters of Salisbury's concerns were received. She asked for the calculation of overtime hours the firefighters work per week, and how many firefighters have left the City for other opportunities and also how many put in applications at other municipalities since the August 3, 2021 Council meeting. Mr. Bailey noted the information will be provided, and he indicated he received the letter from the Professional Firefighters of Salisbury the same day as Council.

Mayor Pro Tem Heggins asked why an external Interim City Manager needs to be hired. Councilmember Miller noted the option was proposed, but nothing was decided. Mayor Pro Tem Heggins requested further information. Mayor Alexander noted a closed session meeting will be scheduled regarding hiring an Interim City Manager.

Mayor Pro Tem Heggins commented she was glad Council chose Plan A for employee incentives and bonuses. She indicated she would like public input on how the City will utilize the remaining \$5.7 million American Rescue Plan (ARP) funds. She thanked staff for the great work it does for the City.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander provided information regarding the North Carolina League of Municipalities (NCLM) support of firefighters. Mayor Pro Tem Heggins commented her opinion remains that the NCLM has consistently opposed legislation that has supported local firefighters.

(a) 2021-2022 Historic Preservation Incentive Grants

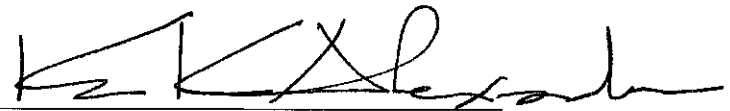
Mayor Alexander announced applications for the 2021-2022 Historic Preservation Incentive Grants are now available. These matching grants are available on a competitive basis for exterior projects on owner-occupied houses in Salisbury's four residential local historic districts. Applications are due by Friday, October 1, 2021. To receive an application or inquire about eligibility please call Emily Vanek at 704-638-5311.

(b) 2021-2022 Municipal Service District and Innes Street Improvement District Grants

Mayor Alexander announced applications for the 2021-2022 Municipal Service District and Innes Street Improvement District Grants are now available. These matching grants are available on a competitive basis for exterior projects on building facades, landscapes, and parking lots. Applications are due by Friday, October 1, 2021. To receive an application or inquire about eligibility please call Emily Vanek at 704-638-5311.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Sheffield. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 9:23 p.m.



Karen Alexander, Mayor



Kelly Baker, City Clerk