

Salisbury, North Carolina
May 7, 2024

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 B. 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 6:10 p.m. Mayor Alexander extended sympathy to the family of the Charlotte Police Officers who passed away, and she noted the passing of former City Attorney Rivers Lawther. 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 AGNEDA/CHANGES TO THE AGENDA

Mayor Alexander noted the following changes to the Agenda:

Add 5a. Council to receive an introduction to Parks and Recreation Director Keisha Coxé.

Add Proclamation: National Historic Preservation Month – May 2024

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

RECOGNITION – SALISBURY YOUTH COUNCIL

Salisbury Youth Council (SYC) Advisor and Communications Coordinator Kaisha Brown noted the Salisbury Youth Council received an \$800 mini-grant through the State Youth Council.

SYC Vice President Ava Morris stated SYC members voted to use the grant to provide essential feminine hygiene products to girls and women in Salisbury. She stated the Council packed and prepared 100 bags containing feminine hygiene products and an informative pamphlet was delivered to Rowan Helping Ministries.

Council thanked Ms. Morris and the SYC for the all they do for the City and recognized staff who work with the SYC members.

INTRODUCTION – NEW PARKS AND RECREATION DIRECTOR KEISHA COXE

Deputy City Manager Richard White introduced new Parks and Recreation Director Keisha Coxe. He noted Ms. Coxe has over 17 years of recreation experience and served as Recreation District Manager in Orlando, Florida. He stated she spent eleven years with Mecklenburg County as a program supervisor and facility director.

Ms. Coxe thanked Council for its support and noted her excitement to be working with the City’s Parks and Recreation Department.

Council welcomed Ms. Coxe to the City.

PROCLAMATIONS

Mayor to proclaim the following observances:

PEACE OFFICER’S MEMORIAL DAY	May 15, 2024
DRINKING WATER WEEK	May 5-11, 2024
NATIONAL POLICE WEEK	May 12-18, 2024
NATIONAL PREVENTION WEEK	May 12-18, 2024
NATIONAL SKILLED NURSING CARE WEEK	May 12-18, 2024
NATIONAL PUBLIC WORKS WEEK	May 19-25, 2024
ASIAN PACIFIC AMERICAN HERITAGE MONTH	May 2024
BETTER HEARING AND SPEECH MONTH	May 2024
BIKE MONTH	May 2024
EXERCISE IS MEDICINE MONTH	May 2024
JEWISH HERITAGE MONTH	May 2024
MENTAL HEALTH AWARENESS MONTH	May 2024
MOTORCYCLE SAFETY AND AWARENESS MONTH	May 2024
NATIONAL HISTORIC PRESERVATION MONTH	May 2024

CONSENT AGENDA

(a) Minutes

Approve Minutes of the special meetings of March 27, 2024 and April 16, 2024 and the regular meetings of April 2, 2024 and April 16, 2024.

(b) Budget Ordinance Amendment – Transit Department

Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$8,914 to appropriate insurance proceeds for expenses related to a vehicle ramp replacement.

ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE CITY OF SALISBURY NORTH CAROLINA TO APPROPRIATE INSURANCE PROCEEDS.

(The above Ordinance is recorded in full in Ordinance Book No. 32 at Page No. 47, and is known as Ordinance 2024-28.)

(c) Budget Ordinance Amendment – Parks and Recreation

Adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$6,249 to appropriate a donation to Parks and Recreation for expenses related to Summer Reels and Riffs Concert Service at Bell Tower Green.

ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE CITY OF SALISBURY NORTH CAROLINA TO APPROPRIATE A PARKS AND RECREATION DONATION.

(The above Ordinance is recorded in full in Ordinance Book No. 32 at Page No. 48, and is known as Ordinance 2024-29.)

(d) Right-of-Way Encroachment – Hotwire Communications

Approve a right-of-way encroachment for the installation of underground fiber optic cable by Hotwire Communications within the right-of-way of Prescott Drive and Sycamore Road per Section 11-24(27) of the City Code.

(e) Right-of- Way Encroachment – AT&T

Approve a right-of-way encroachment for the installation of underground fiber optic cable by AT&T within the rights-of-way of Peeler Road and Parkway Lane per Section 11-24(27) of the City Code and subject to North Carolina Department of Transportation approval.

(f) Installment Financing Contract Second Amendment

Authorize the City Manager to execute a Second Amendment to the Installment Financing Contract between the City of Salisbury and First Bank to amend the definition of “interest rate” to match the way interest is calculated in the amortization schedule.

(g) Interlocal Agreement – Rowan County

Authorize the City Manager to enter into an interlocal agreement with Rowan County for property acquisition services related to Mid-Carolina Regional Airport, as authorized by Article 20 of Chapter 160A of the North Carolina General Statutes.

(h) Radio Equipment Loan Agreement

Authorize the City Manager to enter into a Radio Equipment Loan Agreement with Rowan County to provide new public safety portable and mobile radios for the Police and Fire Departments.

(i) Contract – Ground Maintenance Innes Street Innerchange

Authorize the City Manager to enter into a three-year contract in the amount of \$63,515.15 annually with Tim Johnson Landscaping, Inc. for ground maintenance of the I-85 and East Innes Street interchange.

(j) Contract – Ground Maintenance Bell Tower Green Park

Authorize the City Manager to enter into a three-year contract in the amount of \$38,493.78 annually with Tim Johnson Landscaping, Inc. for ground maintenance of Bell Tower Green Park.

(k) Voluntary Annexation – 570 Earnhardt Road

Receive a request for the voluntary annexation of 23.78 acres located at 570 Earnhardt Road, Tax Map 065 Parcel 008, Tax Map 067 Parcel 189 and a portion of Tax Map 058 Parcel 088, 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 065 PARCEL 008, TAX MAP 067 PARCEL 189, AND A PORTION OF TAX MAP 058 088, 23.78 ACRES LOCATED AT 570 EARNHARDT ROAD.

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 17, and is known as Resolution 2024-12.)

(l) Supplemental Agreement – North Carolina Department of Transportation

Authorize the City Manager to execute a Supplemental Agreement with the North Carolina Department of Transportation for additional Congestion Mitigation Air Quality funds in the amount of \$1,277,268 that will require a 20% local match of \$319,317.

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

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comment.

Ms. Dee Dee Wright requested Council consider an extension on the proposed demolition at 230 West Henderson Street.

Ms. Estelle Wright noted the property at 1133 Short Street has a creek in the back that floods and causes property damage for the church. She asked Council for any assistance it can provide.

Ms. Linda Janniton stated she is the realtor for 230 West Henderson Street, and she requested additional time to transfer the property to the potential buyer.

Mr. Jerry Miller stated he lives at 235 West Henderson Street, and he requested Council consider an extension on the proposed demolition.

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

UPDATE – BYRNE CRIMINAL JUSTICE INITIATIVE

Police Chief Patrick Smith provided an update on the Byrne Criminal Justice Initiative (BCJI). He noted Major Corey Brooks has assumed the responsibilities of BCJI Coordinator, with the assistance of Lieutenant Jennifer Moreau. He added Ms. Gwen Jackson of Urbane Environments agreed to remain as a consultant. He indicated Major Justin Crews will oversee contracts and reports required to meet the Bureau Justice Assistance measures.

Chief Smith noted an onboarding workshop will be held at Livingstone College event center Tuesday, May 14, 2024 for non-profit grant awardees from 10:00 a.m. until 1:00 p.m.

City Manager Jim Greene thanked Chief Smith for his leadership and for working closely with the neighborhood. He added the City is committed to implementing the grant program.

LEASE AGREEMENT – NEW SARUM BREWING COMPANY

Downtown Development Director Sada Troutman asked Council to authorize the City Manager to renew a one-year lease agreement with New Sarum Brewing Company to allow New Sarum to use a portion of the parking lot adjacent to their property from Friday evening through Sunday. She covered lease terms and noted New Sarum's and the City's lease responsibilities.

Ms. Troutman noted additions to the 2024-2025 lease and displayed a map of the proposed area. She stated staff finds the request consistent with the City's Strategic Plan under Economic and Workforce Development.

Councilmember McLaughlin inquired about resident concerns related to noise or parking conditions. Ms. Troutman confirmed there have been no noise ordinance violations.

Councilmember Post asked if the lease rate remains the same. Ms. Troutman confirmed and noted New Sarum has fifteen allotted parking spaces at a prorated rate.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to authorize the City Manager to renew a one-year lease agreement with New Sarum Brewing Company to allow New Sarum to use a portion of the parking lot adjacent to their property from Friday evening through Sunday. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

CITY OF SALISBURY INVESTMENT GRANT PROGRAM

Downtown Development Director Sada Troutman proposed modifications to amend the City's Investment Grant Program to adjust the incentive percentages for qualifying projects. Ms. Troutman noted the existing policy was adopted on March 21, 2006. She explained incentive grants are offered in tiers based on anticipated investment, and Rowan County amended its policy in April 2023. She added the proposed changes will match Rowan County's policy.

Ms. Troutman highlighted the current policy incentives:

- Level 1 - \$5MM investment - 75%
- Level 2 - \$50MM investment - 80%
- Level 3 - \$100MM investment - 85%

Ms. Troutman noted the proposed modified incentives:

- Level 1 - \$5MM investment - 40%
- Level 2 - \$50MM investment - 45%
- Level 3 - \$100MM investment - 50%

Councilmember Post asked what incentive programs surrounding municipalities offer. Ms. Troutman noted she does not have that information, but will reach out to nearby cities for details.

Councilmember Post asked if the Rowan Economic Development Council (EDC) supports the City having the same incentive program as the County. Ms. Troutman stated staff worked with the EDC on the proposed recommendations and revisions and noted their support.

Administrative Services Director Kelly Baker stated modifying the existing incentives was presented at Council's Retreat in January 2024, and revising the incentives will allow Council to be more selective with awarding incentives. Councilmember Post noted concerns with vacant buildings. Ms. Baker stated staff has been working to update the Industrial Revitalization Grant program to assist with the restoration of older buildings.

City Manager Jim Greene stated Council has the authority to set the percentages at its discretion. He noted at the Council Retreat the Rowan EDC presented on incentives and discussed granting incentives for specific business types. He emphasized Council agreed not to focus on specific business types.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to amend the City of Salisbury Investment Grant Program to adjust the incentive percentage for qualifying projects. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

DEMOLITIONS

Code Services Manager Michael Cotilla asked Council to adopt an Ordinance to order the demolition of a structure located at 230 West Henderson Street and a structure located at 210 South Jake Alexander Boulevard.

Mr. Cotilla noted the property located at 230 West Henderson Street suffered significant fire damage on April 19, 2019, and a fire notice was issued. He stated the property was cited for minimum housing violations on September 4, 2023, and a minimum housing hearing was held on October 11, 2023.

Mr. Cotilla stated heirs to the property attended the hearing and advised they were in negotiations to sell the property. He noted the compliance deadline to make repairs or sell was January 11, 2024, and added no work was attempted to bring the structure up to code. He explained a 30-day extension was granted on February 1, 2024, and on April 25, 2024, the closing attorney advised they still had not obtained a title to the property.

Mr. Cotilla stated the dwelling at 230 West Henderson Street should not be allowed to continue to deteriorate and staff recommended the demolition of the structure. He noted the cost for demolition and asbestos remediation is \$24,000, and if not paid it will result in a lien on the property.

Mr. Cotilla noted the structure located at 210 South Jake Alexander Boulevard suffered significant fire damage on August 21, 2022, and a fire notice was issued on October 12, 2022. He noted the property was cited for minimum housing violations and a minimum housing hearing was held on January 30, 2024.

Mr. Cotilla stated heirs to the property attended the hearing and noted they were financially unable to make the needed repairs to comply with City Ordinance and unable to receive a title to the property to sell. He commented the compliance deadline to make repairs or sell was April 30, 2024, and no work has been completed to bring the structure up to Code. He mentioned the property has had several calls for service due to trespassing.

Mr. Cotilla noted in its current condition the dwelling should not be allowed to continue to deteriorate and staff recommends demolition of this structure. He stated demolition and asbestos cost remediation is \$20,000.

Ms. Linda Janniton, realtor for 230 West Henderson Street, requested additional time to transfer the property to the potential buyer that has worked with City Code to increase the safety of the property.

Mayor Alexander emphasized safety concerns with the property, and she asked Mr. Cotilla for his recommendation on an extension. Mr. Cotilla noted 90 days is the common procedure for extensions. Council agreed to approve a 90-day extension with the understanding at the end of 90 days staff will move forward with the demolition.

Thereupon, Councilmember Post made a **motion** to adopt an Ordinance to order the demolition of a dwelling unfit for human habitation located at 2010 South Jake Alexander Boulevard in the City of Salisbury, North Carolina. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNFIT FOR HUMAN HABITATION LOCATED AT 2010 SOUTH JAKE ALEXANDER BOULEVARD IN THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 32 at Page No. 49-50, and is known as Ordinance 2024-30.)

CONGESTION MITITGATION AIR QUALITY (CMAQ) FUND REALLOCATION

Transportation Director Wendy Brindle presented an overview map of various projects taking place in the City. She explained the current two projects on the map including the Brenner Avenue Sidewalk and intersection improvements project and the Jake Alexander Boulevard Sidewalk improvement project.

Ms. Brindle pointed out the area where the sidewalk and intersection improvement project will take place on Brenner Avenue. She indicated this project began prior to Covid with a cost of \$770,000 with \$608,000 from Congestion Mitigation and Air Quality (CMAQ) and \$152,000 for the City's 20% match. She noted due to the delays, increase in costs, and design changes, the project has a \$1.2 million deficient. She added if the project is not completed the funds expended would have to be paid back. She commented the project has 90% plans completed and is currently

in the right-of-way certification stage with an anticipated late summer to early fall construction timeline.

Ms. Brindle commented the sidewalk improvements on Jake Alexander Boulevard have an anticipated cost of \$845,000 including \$676,032 of federal funds and City match of \$169,008. She indicated staff worked with the North Carolina Department of Transportation (NCDOT) on alternatives to take the center turn lane out to shift the traffic for more room for the sidewalk, however, NCDOT offered the solution of moving the traffic two to four feet from the existing sidewalk. She added a field study would need to take place at Grant's Creek and would increase the cost of the project. She noted after discussion with the consultant and NCDOT, staff does not recommend moving forward with the project due to safety and adequate funding to complete the project. She noted since the City has not expended any funds for the project it can request the Cabarrus-Rowan Metropolitan Planning Organization (CRMPO) reallocate the funds.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt a Resolution supporting the reallocation of Congestion Mitigation Air Quality (CMAQ) funds from Project BL-0034, Jake Alexander Boulevard Sidewalk, to Project C-5603H, sidewalk on Brenner Avenue from Statesville Boulevard to Horah Street and intersection improvements at Brenner and Link Avenues. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

RESOLUTION SUPPORTING THE REALLOCATION OF CONGESTION MITIGATION AIR QUALITY (CMAQ) FUNDS FROM PROJECT BL-0034, JAKE ALEXANDER BOULEVARD SIDEWALK, TO PROJECT C-5603H, SIDEWALK ON BRENNER AVENUE FROM STATESVILLE BOULEVARD TO HORAH STREET AND INTERSECTION IMPROVEMENTS AT BRENNER AND LINK AVENUES.

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 18, and is known as Resolution 2024-13.)

RESOLUTION OF SUPPORT – SECONDARY ROAD SYSTEM MAINTENANCE

Transportation Director Wendy Brindle noted the City annexed Airport Loop Road in 2005 and provided maintenance until 2013 when the State de-annexed the area. She stated the City stopped maintaining the road and removed the road from the Powell Bill map. She indicated the County has petitioned for the road to go back onto the state's secondary road maintenance system. She commented following the submission of the County's petition it was found the City has .23 miles near Red Acres Road that remains in the City limits, so the City must petition for the state to add this section to the secondary road maintenance system.

Thereupon, Councilmember McLaughlin made a **motion** to adopt a Resolution supporting the supporting the North Carolina Department of Transportation request to add Airport Loop Road to the state-maintained secondary road system. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

RESOLUTION SUPPORTING THE SUPPORTING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION REQUEST TO ADD AIRPORT LOOP ROAD TO THE STATE-MAINTAINED SECONDARY ROAD SYSTEM.

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 19, and is known as Resolution 2024-14.)

BOARDS AND COMMISSIONS

Planning Board/Board of Adjustment

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

Mr. Ben Tobey

Term Expires 3/31/2027

CITY MANAGER'S REPORT

City Manager Jim Greene noted the Budget Presentation meeting will take place Tuesday, May 14, 2024 at 6:00 p.m. He added he will present information along with Finance Director Wade Furches and Deputy City Manager Richard White.

City Manager Jim Greene pointed out changes to the Agenda submittal forms. He thanked City Clerk Connie Snyder and the Management Team for working to update the forms to tie to the City's Strategic Plan. He asked Council for any additions or changes. Councilmember Post noted the forms are easier to understand and quicker to review.

COUNCIL COMMENTS

Councilmember Post noted it was great to see the Salisbury Youth Council (SYC) at the Council meeting.

Councilmember McLaughlin extended condolences to the family of the federal agents who recently lost their lives in Charlotte.

Councilmember Smith noted several citizens gathered this past weekend at Bell Tower Green in response to the recent gun violence in Salisbury. He thanked those who gathered for the discussion.

MAYOR PRO TEM COMMENTS

Mayor Pro Tem Sheffield thanked the Salisbury Police Department for the hard work it does for the City, and she asked the community to continue to support the Police Department.

Mayor Pro Tem Sheffield requested citizens to remember Rivers Lawthers as he served the City for 33 years. She provided condolences to his family.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

(a) National Peace Officer's Memorial Day

Mayor Alexander announced National Peace Officer's Memorial Day is May 15, 2024; however, Rowan County is holding their Memorial Service on May 14, 2024 from 11:00 a.m. until 12:00 noon in front of the Rowan County Court House so law enforcement officers can participate in a Torch Run for Special Olympics on May 15, 2024.


(b) Cheerwine Festival

Mayor Alexander announced the Cheerwine Festival will take place Saturday, May 18th from noon until 10:00 pm in downtown Salisbury. This family-friendly festival will feature live entertainment, Cheerwine-inspired food and drinks, arts and crafts, kid's activities and all the Cheerwine you can drink! The Cheerwine History display will take place at the Rowan Museum from noon until 5:00 pm. Historic Salisbury Trolley Tours will be available from noon until 6:00 pm at the Rowan County Visitors Center. Live music will be provided from 2:00 pm until 10:00 pm. Free shuttle parking will be provided from Rowan Cabarrus Community College, Catawba College and the Livingstone College School of Hospitality Management and Culinary Arts from 11:40 am-11:00 pm. For additional details, maps and more, visit www.cheerwinefest.com.


ADJOURNMENT

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

The meeting was adjourned at 7:50 p.m.



Karen K. Alexander, Mayor



Connie B. Snyder, City Clerk