

Salisbury, North Carolina  
June 16, 2020

## **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.

## **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**

Mayor Alexander noted the following changes to the Agenda;

Add – Proclamation for Immigrant Heritage Month.

Add – Proclamation for the United States Army's 245<sup>th</sup> Birthday.

Add – Proclamation for Juneteenth Day.

Postpone – Agenda item 9 – Council to consider banning the use of chemical weapons by the Police Department.

Postpone – Agenda item 10 – Council to consider approving the painting of Black Lives Matter in downtown Salisbury to until July 21, 2020.

Move – Agenda items 13 through 16 Agenda to the Consent Agenda.

### **ADOPTION OF THE AGENDA**

Thereupon, Councilmember Post made a **motion** to adopt the Agenda with presented changes. 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)

### **PROCLAMATIONS**

Mayor proclaimed the following observances:

IMMIGRANT HERITAGE MONTH	June 2020
UNITED STATES ARMY'S 245 <sup>th</sup> BIRTHDAY	June 14, 2020
JUNETEENTH DAY	June 19, 2020
SALISBURY PRIDE DAY	June 27, 2020

Mayor Alexander noted the proclamations will be posted to the City's website for viewing.

### **CONSENT AGENDA**

(a) Minutes

Adopt Minutes of the Special meeting of June 1, 2020 and the Regular meeting of June 2, 2020.

(b) Ordinance Amendment – Grant Creek Wastewater Treatment Facility

Adopt a Capital Project Ordinance amendment in the amount of \$26,838,600 for the Grant Creek Wastewater Treatment Train Improvements. This project was approved at the March 3, 2020 Council meeting.

GRANT CREEK WASTEWATER TREATMENT FACILITIES IMPROVEMENT CAPITAL PROJECT ORDINANCE AMENDMENT.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 42, and is known as Ordinance 2020-33.)

(c) Ordinance Amendment – Water Treatment Plant

Adopt a Capital Project Ordinance amendment in the amount of \$7,221,000 for Water Treatment Plant Improvements. This project was approved at the March 3, 2020 Council meeting.

WATER TREATMENT PLANT IMPROVEMENT CAPITAL PROJECT ORDINANCE AMENDMENT.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 43, and is known as Ordinance 2020-34.)

(d) Farmer’s Market Street Closure

Approve the closure of the 200 block of East Kerr Street, from North Lee Street to Depot Street, every Saturday from 7:00 a.m. until 1:00 p.m. through October 31, 2020 for the Farmer’s Market.

(e) Contract- Country Boy Landscaping, Inc.

Award a contract to Country Boy Landscaping, Inc. in the amount of \$303,386.90 for the Sunset Drive Central Culvert Replacement Project. The funds for this project were approved in the FY2019-2020 budget.

(f) Right-of-Way Use Permit

Approve a right-of-way use permit for the closure of roadways and sidewalks along the blocks of 200 West Innes Street, 100 South Church Street, 200 West Fisher Street, and 100 South Jackson Street for construction at Bell Tower Green.

(g) Ordinance Amendment- Parking on West Henderson Street

Adopt an Ordinance amending Chapter 13, Article X of the City Code as it relates to parking prohibited at all times in the 700 block of West Henderson Street.

ORDINANCE AMENDING CHAPTER 13, ARTICLE X, OF THE CODE OF THE CITY OF SALISBURY, RELATING TO PARKING.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 44, and is known as Ordinance 2020-35.)

(h) Budget Ordinance Amendment – Recycling Education Grant

Adopt a Budget Ordinance amendment to the FY2019-2020 budget in the amount of \$3,500 to appropriate a grant for recycling education.

ORDINANCE AMENDING THE 2019-2020 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE WASTE MANAGEMENT GRANT.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 45, and is known as Ordinance 2020-36.)

(i) Budget Ordinance Amendment – Police Department Controlled Substance Tax Funds

Adopt a Budget Ordinance amendment to the FY2019-2020 budget in the amount of \$9,400 to appropriate Police Department Controlled Substance Tax Funds.

ORDINANCE AMENDING THE 2019-2020 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE POLICE DEPARTMENT CONTROLLED SUBSTANCE TAX FUNDS.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 46, and is known as Ordinance 2020-37.)

(j) Resolution- Support for the Rowan-Iredell Hazard Mitigation Plan

Adopt a Resolution of support for the Rowan-Iredell Hazard Mitigation Plan.

RESOLUTION OF SUPPORT FOR THE ROWAN-IREDELL HAZARD MITIGATION PLAN.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 23-24, and is known as Resolution 2020-15.)

(k) CARES Act (CDBG-CV) Sub-recipients

Endorse the Gateway Freedom Center and the Salisbury Community Development Corporation as sub-recipients of CARES Act Community Block Grant (CDBG-CV) funding to prevent, prepare for, and respond to the coronavirus.

(l) Contract-LaFaves Construction

Authorize the City Manager to enter into a contract with LaFaves Construction in the amount of \$205,550 for the replacement of the Hall Gym roof.

(m) Contract-Baker Roofing

Authorize the City Manager to enter into a contract with Baker Roofing in the amount of \$449,558 for the replacement of the Plaza roof.

(n) Contract-WxProofing, LLC

Authorize the City Manager to enter into a contract with WxProofing, LLC in the amount \$432,805 for repairs and waterproofing of the north wall of the Plaza.

(o) Contract-Dane Construction

Authorize the City Manager to award a unit price construction contract to Dane Construction Inc. in the amount of \$450,483.25 for the construction of the Grants Creek Greenway Phase IV Low Water Bridge, subject to NCDOT concurrence.

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 comment. Those who expressed their thoughts in favor of relocating the statute by speaking or through written comments were:

Nancy Gaines	Chandra Neely
Matthew Harrison	Tony Carter
Whitney Peckman	Dinah Anukwuem
Sage Chioma	Laura Roseman
Kristen Hodges	Rev. Dr. Roy Dennis, Jr.
Susan Lee	Jason Yates
Wendy Alcock	Ralph Rodland
The Community Fusion Coalition	Michelle Matthews
Edward Norvell	Angela Murray
Michael Stringer	Amber Wingerson
Bailey Wingler	Pam Bloom
Rocky Cabagnot	Paul Siceloff
Mary Rosser	Pastor Danielle DeNise
Marcus Corry	William K. Brown II
Ted Goins	Bethanie Stauffer
Rev. Marcus Fairley	Rev. Kate Morrison
Haley Lomax	Coulter Loeb

Those who expressed their thoughts on leaving the statue at its current location by speaking or through written comments were:

Melissa Eller	Lynn Burris
Lisa Sheets	Carol Prevette Vannoy
Jerry Jackson, Jr.	Tim Arey
Summer Earnhardt	David Lane
Judi Hill	Asia Asa
Tori Harris	Tim Abernathy
Sonya Graham	Nancy Whaley
Kay Hodsdon	Chadwick Kluttz
Rena Overcash	Bob Bartlett
Scott Correll	Brown Caldwell
Joseph Stewart	Brandon Barker
Jesse Webb	Wallace Hudson
Jason Brown	Vivian Johnson
Dale Canup	Susan Moore
Joyce Fowler	Margaret Lipe
James Smithson	Lisa Long
Linda Binkley	Trillis Pendleton
Lisa Rudisill	John Collins
Clyde Massey	LeaAnn Buckwell
Priscilla McKnight	Sonja Mullen
Kathy Hill	Paul Garrett
Clyde	Freddy Becker
Deanne Hall	Amy Horne
Beverly Brewer	Kelsey Shoe
Tammy Linton	Donna Logan
Dustin Poole	Randy Buckwell
Jerry Eller	Zandra Spencer
Allen Allison	Tony Swink
Trudy Gale	Terri Freeborn
Lisa Weant Goans	Nancy Smith Moller
Kevin Womble	Jake Helms
Melinda Adames	Terri Benfield
Jeanne Gray Harman	Matthew Faggart
The Fame Preservation Group	Amanda Corriher
Robert Trice	Patti Chambers
Jerry Croyle	Charles Cooper II
Vera Cope	Nancy Whitman
Jennifer Beck	Douglas Jacobs
Wes Brady	Chris Moore
Isaiah Dulin	Angie Spillman
Walter Vaughn	

There being no more comments, Mayor Alexander closed the public comment session.

## CONFEDERATE MONUMENT FAME

Mayor Alexander asked City Attorney Graham Corriher to address Council regarding the Confederate Monument *Fame*. Mr. Corriher stated the news reported that an agreement had been reached between the City of Salisbury and the United Daughters of the Confederacy (UDC) regarding the relocation of the monument. He explained the UDC approached the City with terms it was willing to agree upon to relocate the monument. He noted a draft agreement was prepared and sent to the UDC and to the Historic Salisbury Foundation (HSF) who stepped forward to assist with the agreement.

Mr. Corriher pointed out the HSF received the agreement on Thursday, June 11, 2020 and signed it on Sunday, June 14, 2020. He explained the agreement called for relocating the Confederate Monument from its current site in the median of West Innes Street to the Old Lutheran Cemetery on Lee Street that is owned by the City. He added the City would pay for the cost of relocating the monument to a new foundation and deed a piece of property to the UDC for the monument. He stated once the monument is placed in the cemetery, the City's obligation would end and the UDC would be responsible for any decorative features around the monument including fencing, lighting, and security.

Mr. Corriher stated the HSF is a party to the agreement which is consistent with its mission for historic preservation in Salisbury and Rowan County. He explained it is a three-party agreement, and HSF will facilitate receiving donations from the community to pay for the costs of preparing the new location with decorative features, lighting, and security.

Mr. Corriher indicated at 4:30 p.m. today the UDC approached the City with a revised agreement. He noted Council was presented the agreement during its closed session and decided the terms were not acceptable to the City. He added based on the City's discussions with HSF, the terms proposed by the UDC would most likely not be acceptable to the HSF.

Mr. Corriher explained the HSF has signed an agreement, the UDC has proposed a different agreement and not signed anything, and Council has not approved an agreement. He referenced the events that took place recently including a protest of the monument and due to the escalating nature it led Mayor Alexander to declare a state of emergency and enact a downtown curfew. He noted based on the history of the protest around the monument, the increased danger that has been created, and negotiations with the parties about relocating the monument he prepared two Resolutions for Council's consideration.

Mr. Corriher stated the first proposed Resolution is to relocate the Confederate monument which is based on the opinion of Police Chief Jerry Stokes regarding increasingly dangerous conditions around the monument. He noted the Resolution declares the monument a public safety hazard and gives the UDC 30 days to remove it. He added the proposed Resolution also revokes the City's permission for the monument to remain in the median of West Innes Street.

Mr. Corriher indicated the second proposed Resolution is to approve an agreement to remove the Confederate monument which relates to the agreement the parties have discussed and HSF has signed. He noted the agreement states the City will pay to remove the monument from

the median at West Innes Street, the City will pay to store the monument for the time it takes to deed the cemetery land to the UDC, and the City will pay for the slab or foundation on which the monument will be placed. He explained once the monument is in place the City's obligation ends, and the UDC will pay for the remaining expenses. He clarified the Resolution would show Council's approval to the original agreement and would give the UDC 10 days to sign it.

Councilmember Post asked for clarification regarding the two proposed Resolutions. Mr. Corriher noted the first proposed Resolution declares the monument a public safety hazard and revokes any permission the City gave the UDC to locate the monument in the median of West Innes Street. He added the second proposed Resolution is to approve the original agreement between the UDC, HSF and the City to move the monument from its current location in the median of West Innes Street to the Old Lutheran Cemetery on Lee Street.

Mayor Alexander pointed out community members, including 100% of the ancestors of the original UDC members who raised the money for the monument, have written a letter to the City in support of moving the monument to the Old Lutheran Cemetery that includes confederate grave sites. She added funds have been raised to cover the costs of an eight-foot wrought iron fence around the monument, a concrete slab that would hold brick pavers and cameras and electrical work to provide security and lighting for the location. She indicated the money has been pledged, and the HSF is waiting for a signed agreement.

There was a pause in the meeting due to technical difficulties.

Thereupon, Councilmember Post made a **motion** to take a recess due to technical difficulties. 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)

Mayor Alexander asked for a motion to reconvene the meeting.

Thereupon, Councilmember Post made a **motion** to reconvene the meeting. 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. Corriher stated the two Resolutions for Council's consideration are a Resolution to relocate the Confederate monument which declares the monument a public safety hazard and revokes any permission the City gave to the UDC be on the property; and a Resolution to approve an agreement to remove the Confederate monument which would give the City's approval to the terms of the original agreement that has been signed by the HSF, but the UDC has not signed. He indicated the City will remove the monument from its current location, store it for a period of time, and place it on a foundation in the Old Lutheran Cemetery and UDC and community donations would take over from there.

Mayor Alexander stated community members have come forward to assist in paying for the site amenities. She added approximately \$55,000 has been raised by Mr. Ed Norvell, and she



pointed out the descendants of the original UDC have told Mr. Norvell that they prefer the statue be moved to the Old Lutheran Cemetery on North Lee Street. She explained the exact location will be finalized once a site evaluation has taken place to determine there are no graves in the area identified for the monument. She noted the area will be surveyed and a warranty deed will be issued to the UDC. She pointed out the monument will be removed as soon as an appropriate contractor has been determined, and it will be stored in a warehouse while the legal work is completed.

Mayor Alexander noted questions have been raised regarding the legal issue involved in the process. She explained if the UDC signs the agreement already signed by the HSF, it would relinquish its rights to the current West Innes Street location in exchange for a new warranty deed in the Old Lutheran Cemetery. She pointed out the agreement would relieve concerns for the City regarding legal action because it would be an agreement with the existing owners of the monument. She added the agreement will give the UDC 10 days to sign the document and 90 days for the entire move. She pointed out it will take time for the monument to be taken down and for the new foundation and site amenities to be constructed.

Mayor Pro Tem Heggins referenced the private donations, and she asked if the money is being raised to help relocate the monument or to take care of the monument once it is placed in the Old Lutheran Cemetery. Mayor Alexander explained private donations are being raised to assist with the work after the monument is moved to the new location. She added if the City could not come to an agreement with the UDC it would bear the entire cost of moving the monument.

Mayor Alexander stated Mr. Norvell has written a letter to the *Salisbury Post* regarding the descendants' wishes that the monument be moved to the Old Lutheran Cemetery. She added discussions took place between Mr. Norvell and leaders in the African-American community and they voiced their support for the proposed move.

Councilmember Post raised the idea of not giving a warranty deed to the property and instead giving the UDC a license in case the issue needs to be addressed in the future. Mayor Alexander pointed out that is not what was offered in the agreement the UDC is considering and approved by the HSF. She clarified the offer has not been rejected by the UDC. Councilmember Miller stated he would rather keep the original agreement and give the UDC 10 days to accept it instead of adding things that would require additional negotiation.

Councilmember Sheffield pointed out Council has reviewed the agreement, and the City Attorney recommends the language in the agreement. Mayor Pro Tem Heggins asked Mr. Corriher to provide his opinion. Mr. Corriher pointed out if there is a nuisance on private property the City has the right to abate that nuisance. He added he would be concerned a license could affect the UDC's ability to build a fence or other decorative features on the site. He added the proposal is to offer a special warranty deed on a small parcel of land, and giving a license would complicate the agreement and possibly make it less enticing to the UDC.

Mayor Pro Tem Heggins requested the proposed Resolutions be displayed on the screen for public viewing. Mr. Corriher provided an overview of the proposed Resolutions.

Councilmember Miller asked Mr. Corriher to clarify what will happen if the UDC does not sign the agreement and decides to take legal action. Mr. Corriher noted the proposed Resolution points to exceptions to state law, specifically public safety. He commented when an object of remembrance constitutes a threat to public safety then the law does not apply, and it can be removed. Mr. Miller stated by accepting the agreement from the UDC the City will avoid the cost of litigation, and he asked about the possible costs of litigation. Mr. Corriher pointed out anyone can challenge the City's actions. He added other cities have taken action to remove monuments, and they have been sued. Mayor Pro Tem Heggins asked if the City can also be sued if people are injured because it did not address a public safety issue. Mr. Corriher indicated it is possible, but it would require a more specific event. He added the City is not acting outside of its authority by adopting the Resolutions. Councilmember Post pointed out it is difficult to address what could happen legally when the UDC's course of action is unknown. Mr. Corriher agreed.

Mr. Corriher explained the second proposed Resolution is to approve the agreement that has been signed by HSF. He added the UDC delivered a revised agreement to Council, and Council determined it was unacceptable. He added Council would approve of the terms of the original agreement and give the UDC 10 days to agree to those terms. He added the way the agreement is structured if the UDC does not sign within 10 days then the Resolution has no effect and it revokes the City's approval.

Councilmember Sheffield asked if the two Resolutions for Council's consideration will run simultaneously. Mr. Corriher clarified the Resolutions will begin at the same time, and if the UDC does not sign within 10 days they will have the remaining 20 days to move the monument on their own after which time the City would move the monument.

Thereupon, Councilmember Post made a **motion** to approve the Resolution to relocate the Confederate monument.

Councilmember Miller pointed out the monument is an inanimate object, and it is public art. He added some see it as a symbol of hatred while others see it as sacred. He noted due to recent events in the country, he has had conversations he has never had before, and he thanked those he had discussions with for the grace they showed when he did not know what to say. He added at the end of the day he sees the monument as an inanimate object. He added he understands others see it differently, and it is okay for people to have different opinions.

Councilmember Miller stated he is a person of faith and during times of crisis he looks to his faith and God's word for answers. He referenced the Biblical story about Solomon and the two mothers. He clarified it does not exactly fit this situation but it does speak to the fact that for those who want to save the statue, they might need to be willing to move it to a new location. He added his personal opinion is if the monument is not moved something disastrous could happen in the future. He then referenced Matthew Chapter 22 which talks about the greatest commandment is to love God and to love people. He added the community has to get to a place where things are not more important than people, and he noted the monument is not worth one person's life.

Councilmember Miller explained it is not about him personally and how he interprets the situation, it is about what Council needs to do as leaders of this community that will take this

flashpoint away to allow the community to heal and move forward. He stated he does not personally agree with some of the reasoning regarding why this should happen, but agrees if the monument is moved some of the division may go away. He explained what matters is it has become a flashpoint, and in his opinion removing the flashpoint is necessary to prevent the community from having something far worse than the relocation of a statue in its history. He added he made this decision because he takes his job as a member of Council very seriously, and he is here to advocate for the community.

Councilmember Miller added he is not willing to trade one person's life to keep the statue at its current location. He stated he has been opposed to moving it in the past. He explained his opinion changed because the City had police officers in riot gear that had to discharge tear gas, and someone fired shots in the air. He indicated he will not please everyone with any decision. He clarified he was elected to serve the entire community and this is the best course of action. He added he hopes the UDC will come to the table and a partnership can be formed.

Mayor Alexander thanked Mr. Miller for his comments. She asked if anyone else wanted to speak. Mayor Pro Tem Heggins asked that the motion be restated.

Thereupon, Councilmember Post made a **motion** that to approve the Resolution to relocate the Confederate monument. 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)

#### RESOLUTION TO RELOCATE THE CONFEDERATE MONUMNET.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 25-28, and is known as Resolution 2020-16.)

Thereupon, Councilmember Post made a **motion** to approve a Resolution to Approve the Agreement to Relocate the Confederate Monument.

Councilmember Sheffield indicated relocating the monument is the correct path for the City and its citizens. She agreed with Mr. Miller that nothing in Council's control is worth the possibility of someone getting hurt. She added Council's responsibility is to the citizens of Salisbury and providing a safe, prosperous, and inclusive community. She asked the UDC to consider the citizen's safety. She noted she is not willing to stand back and not take action, and she supports both Resolutions.

Councilmember Post indicated he is not completely satisfied with the agreement, but he is going to vote for it without reservation. He added he would prefer that it not be a warranty deed because it could create an opportunity for trouble in the future. He added he is hopeful an agreement will be reached with the UDC. He commented the statue has divided the community, and he indicated if Council has to invoke the first Resolution it would be very divisible. He implored the UDC to execute the agreement as the best way to promote healing in the community. He pointed out he does not think people's attitudes are going to change, but moving the monument is the right thing to do. He referenced German laws that prohibit the display of swastika flags and

statues with the likenesses of Hitler. He commented just because the statue is moved does not mean some of the troubles are going to go away. He added he is hopeful, and the agreement is the best way to move forward.

Councilmember Post referred to Councilmember Miller's biblical texts, and he then referred to the United States Supreme Court *Brown vs. Board of Education* which came to the Supreme Court in 1952. He noted the justices voted six to three on it. He commented Chief Justice Warren did not release that opinion because it was not unanimous, and it took him two years to convince the rest of the court that it had to be unanimous. He stated he is proud of Council, and he added in this situation it was important to have a unanimous decision. He added he does not know how history is going to read this decision, but it is important that it be unanimous.

Mayor Pro Tem Heggins indicated Council has arrived at the right decision. She stated she wants the public to know as five individuals Council does not always agree initially when discussing difficult topics, but she hopes the community values that when Council gets there it is with a unanimous vote. She indicated sometimes Council may leave the meetings feeling misunderstood, but what she values is that each member comes back and gets there together. She stated the decision is about valuing, respecting, and protecting everyone in the community. She thanked Council and the community, and she added hard conversations have to take place and demonstrate that Council is willing to do the hard work.

Mayor Alexander stated she also thought about the story of Solomon, and the woman who gave up her baby because she loved it. She indicated that is where she is regarding this community and this action. She noted she was touched by the incredible amount of work that has gone into the last two weeks to find a way to communicate with the UDC. She added it was possible because of citizens who were willing to make contacts the City has not been able to make. She noted it comes down to relationships, and it has been demonstrated by the individuals who have come together to ask and encourage the UDC to look at this as a way to both protect the community and the monument. She noted it is like a down payment from our community to our broader community, and a statement that Council is willing to do the hard work that is ahead.

Mayor Alexander noted this could not have happened if individuals had not stepped out of their comfort zone and worked tirelessly for the last two weeks. She stated she is proud of Council for reaching a unanimous decision that has been extremely difficult. She pointed out Council values and sees the pain that each citizen is experiencing, and she is so proud of everyone who spoke and wrote from their heart. She then called for the question.

Mayor Heggins requested the motion be restated.

Thereupon, Councilmember Post made a **motion** that to adopt a Resolution to Approve an Agreement to Relocate the Confederate Monument. 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)

RESOLUTION TO APPROVE AN AGREEMENT TO RELOCATE THE CONFEDERATE MONUMENT.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 29-30, and is known as Resolution 2020-17.)

### **CITY BUDGET ORDINANCE**

City Manager Lane Bailey referenced changes to the recommended budget including a decrease in property tax collection rates of \$358,000 and a Fibrant transfer decrease of \$30,000. He noted legal fees were adjusted so the Remedial Action Plan (RAP) position could be reinstated. He pointed out the transfer to the Transit fund was decreased due to utilizing COVID funding, and Transit routes will continue to Spencer and East Spencer.

Mr. Bailey pointed out the General Fund budget is 4.08% lower than last year. He noted the biggest concerns are sales tax revenue and large capital projects still in the budget including Newsome Road, Brenner Avenue sidewalk project, Grants Creek Greenway, and a Neighborhood Revitalization Program. He added the Plaza roof replacement, Hall gym roof replacement and some weatherization at the Plaza are also included in the budget along with the recommended water and sewer rate increase based on the Consumer Price Index (CPI) for the Urban South of 1.83%. He noted the average customer increase will be \$1.02 per month. He commented there is an increase in residential curbside recycling of \$.94 a month and a stormwater fee increase of \$.08 a month per residential units.

Councilmember Miller asked if any public comments were received regarding the budget since the last budget presentation. Mr. Bailey commented no comments were received.

Councilmember Sheffield thanked everyone who worked diligently on the budget. She pointed out the budget was difficult due to the City being mandated to cover costs for the retirement program because the state is not providing the funding. Mr. Bailey explained the State Treasurer has financial duties to ensure funds are solid. He stated the Local Government Retirement system is the third strongest public pension in the United States, but the issue is in previous years the state did not fund it, and the City has to increase its funding level to get to where it needs to be.

Mr. Bailey pointed out there are nine fewer positions in the recommended budget, but no filled positions were eliminated. He noted some positions have become vacant since the budget was presented, and the City will be slow to rehire those positions. He indicated public safety positions will be considered differently. He commented the City will look at ways to become more efficient and reduce positions, but it will also cause fewer dollars to go into the retirement system and create challenges.

Councilmember Sheffield noted the proposed budget does not include a property tax increase, but a proposal of a stormwater fee increase of \$24.48 a year for customers including renters. She expressed her concern that the proposed budget includes an increase in stormwater fees, but City employees will not receive Cost of Living Adjustment (COLA) or merit increases, but she understands a budget has to be passed. She pointed out staff has worked very hard to make sure things are not missed.

Thereupon, Councilmember Miller made a **motion** to adopt the budget Ordinance of the City of Salisbury for the fiscal year beginning July1, 2020 and ending June 30, 2021. 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)

**BUDGET ORDINANCE OF THE CITY OF SALISBURY FOR THE FISCAL YEAR BEGINNING JULY 1, 2020, AND ENDING JUNE 30, 2021.**

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 47-64, and is known as Ordinance 2020-38.)

Mayor Alexander thanked Mr. Bailey and Council for their hard work during the budget process as it is going to be a difficult budget year, and she added she is proud of the work completed.

**FY2020-2024 CONSOLIDATED PLAN AND FY2020-2021 ACTION PLAN**

Community Planning Services Director Hannah Jacobson reviewed the recommended FY2020-2024 Consolidated Plan and the FY2020-2021 Annual Action Plan provided at Council's May 19, 2020 meeting. She explained requests for further information were received. She pointed out Salisbury is below average for home ownership rates and above average in the number of households that have a cost burden when compared to many communities in the region, state and United States.

Ms. Jacobson explained the planning and implementation framework the City conducts to receive the Community Development Block Grant (CDBG) and Home Program funds. She reviewed the proposed FY2020-2024 Consolidated five year plan goals. She added approximately \$2.16 million is anticipated to be spent over the next five years on those programs.

Ms. Jacobson pointed out \$431,845 is proposed to be used to implement programs this fiscal year. She added it is recommended for the City to continue its partnership with the Salisbury Community Development Corporation (CDC), Rowan Helping Ministries, Family Crisis Council, Rowan Community Care Clinic, and Gateway Freedom Center. She noted a portion of the funds will be used for planning and administration fees, and she indicated funding from the federal government will be \$24,000 less than last year.

Mayor Alexander asked if any changes were made to the document provided during the public process. Ms. Jacobson noted no changes were made.

Councilmember Miller commended staff on the great job. Council agreed. Mayor Alexander stated she is proud of what the CDC has continued to do over the past 25 years. Mayor Pro Tem Heggins thanked staff for its work on the Consolidated Plan and dividing the grants

received through the COVID funds for non-profits.

Thereupon, Councilmember Post made a **motion** to approve the draft FY2020-2024 Consolidated Plan and the FY2020-2021 Action Plan for the use of Community Development Block Grant (CDBG) and HOME Program funds from the United States Department of Housing and Urban Development (HUD). 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**

City Attorney Graham Corriher had nothing to report to Council.

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

City Manager Lane Bailey had nothing to report to Council.

### **ANNOUNCEMENTS**

Mayor Alexander had no announcements.

### **COUNCIL COMMENTS**

Councilmember Sheffield read a letter from the Salisbury Pride Organization thanking Mayor, Council, and the City for their on-going support. She noted this year's festival was canceled to keep everyone safe, and the 10<sup>th</sup> Salisbury Pride festival will take place next year.

Councilmember Sheffield thanked all of the citizens that spoke during public comment and voiced their prospective.

Councilmember Sheffield commented on her struggles with the budget and staff not receiving raises. She reminded citizens to be aware of criticism to City employees as they will be doing the same or more work with less people and no raises. She asked citizens to remind themselves how hard everyone is working and keep it respectful, productive, and to thank them.

Councilmember Sheffield thanked Council and everyone who watched the Council meeting.

Councilmember Post commented someone asked him what the City is doing to reform its Police Department. He advised just because one City is having a problem does not mean all cities are, and he pointed out what the Police Department is doing with policing has been effective. He

added the Police Department has done a fabulous job along with citizens that deserve incredible credit including Mr. Gemale Black and Mr. Anthony Smith who have worked to keep the peace.

### **MAYOR PRO TEM COMMENTS**

Mayor Pro Tem Heggins thanked Council and the City for its great job getting through the difficult times lately. She thanked the public for being engaged, and she added the City has incredible citizens. She noted the power of the Council is the power of the people it serves, and that is important not to forget.

Mayor Pro Tem Heggins thanked Mr. Anthony Smith, Mr. Gemale Black, and her husband Isaac Heggins for their assistance and incredible work during the protests. She added Mr. Heggins is known by a lot of people in the community and did everything he could to make sure people were protesting safely.

Mayor Pro Tem Heggins thanked staff for staying with the City despite the budget restraints and no raises. She also thanked staff for its incredible work and support provided during COVID, and the death of George Floyd and protests.

### **MAYOR'S COMMENTS**

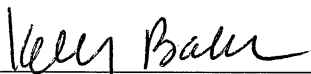
Mayor Alexander noted she received a letter of appreciation from a citizen recognizing a Public Works employee for going beyond his call of duty during a difficult situation. She thanked the Police Department for its hard work and the phenomenal job it has done the past several weeks, and she thanked them for their professionalism and the way they treat the citizens.

### **ADJOURNMENT**

Motion to adjourn the meeting was made by Councilmember Miller. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 11:13 p.m.



Karen Alexander, Mayor



Kelly Baker, City Clerk