

Salisbury, North Carolina  
January 21, 2014

## **REGULAR MEETING**

**PRESENT:** Mayor Pro Tem Maggie A. Blackwell, Presiding; Council Members Karen Kirks Alexander, William (Pete) Kennedy, and William Brian Miller; City Manager Doug Paris; Deputy City Clerk Kelly Baker; and City Attorney F. Rivers Lawther, Jr.

**ABSENT:** Mayor Paul B. Woodson, Jr. and City Clerk Myra B. Heard

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Pro Tem Blackwell at 4:00 p.m. The invocation was given by Councilmember Miller.

## **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Blackwell led those present in the Pledge of Allegiance to the United States flag.

## **RECOGNITION OF VISITORS**

Mayor Pro Tem Blackwell welcomed all visitors present.

## **PROCLAMATION**

Mayor Pro Tem Blackwell proclaimed the following observance:

CATHOLIC SCHOOLS WEEK

January 27-31, 2014

**CONSENT AGENDA**

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of January 7, 2014.

(b) Appointment – Shelter Ministries of Rowan County Board of Directors

Appoint Craig Powers as the City representative on the Board of Directors for Shelter Ministries of Rowan County.

Thereupon, Mr. Kennedy made a **motion** to adopt the Consent Agenda as presented. Ms. Alexander seconded the motion. Messrs. Kennedy, and Miller, and Meses. Alexander and Blackwell voted AYE. (4-0)

**HIGHLIGHTS AND GOALS – HISTORIC PRESERVATION COMMISSION**

Mr. Andrew Pitner, Chair of the Historic Preservation Commission (HPC), and Ms. Janet Gapen, staff liaison, presented the 2013 Highlights and 2014 Goals for the Historic Preservation Commission.

Mr. Pitner explained the benefits of historic preservation:

- Protects private investment
- Promotes the local economy and jobs
- Sustainability
  - Reuse/recycle
  - Keeps material out of the landfill
- Maintains the City’s character and promotes
  - Tourism
  - Tax base
  - Property values

Mr. Pitner then reviewed the 2013 Certificates of Appropriateness (COA):

Approved by staff	78	54%
Approved by Minor Works Committee	25	17%
Approved by HPC	38	26%
Deferred or Withdrawn	2	1%
Denied by HPC	1	1%
Total applications	<u>144</u>	<u>100%</u>

Mr. Pitner presented the 2013 Highlights:

- Design Guidelines update
  - Public meetings held summer and fall 2013
  - Currently in final draft state
  - Funded by the Certified Local Government Program with a local match
    - Federal Historic Preservation Fund Grant
- Historic Preservation Incentive Grants
  - 2013 Funding \$20,000
  - Awarded to date \$13,975
  - Remaining for spring grant cycle \$6,025
- Design Review Advisory Committee
  - Informal plan review/consultation
  - Major work
    - Additions
    - New constructions
  - Membership
    - Design professionals
    - Former HPC members

Mr. Pitner reviewed the 2014-2015 Goals:

- Promote Historic Districts
  - Historic Preservation Incentive Grant Program – Request: \$50,000
  - Develop and convene the Master Plan Implementation Team
  - Inform real estate agents/brokers
  - Support Buy History Open House, BlockWork, and other neighborhood initiatives
  - Promote National Trust's Preservation Month
  - Partner with Downtown Salisbury Inc. (DSI), Historic Salisbury Foundation, Community Appearance Commission (CAC), Community Development Corporation (CDC) and others regarding historic neighborhood initiatives
- Improve procedures
  - Complete the Design Guidelines update
  - Conduct education/outreach
  - Work with the Public Information Officer to complete the HPC webpage
  - Create the digital submittal process
  - Audit HPC meetings in other communities
  - Improve tracking and enforcement of COA
  - Conduct an annual HPC Review
  - Use the Design Review Advisory Committee to its fullest potential
  - Continue the bi-annual newsletters to property owners
  - Additional training
  - Actively recruit potential HPC members

- Plan
  - Chestnut Hill nomination to the National Register of Historic Places
  - Partner with the Housing Advocacy Commission (HAC) regarding a housing stabilization pilot program
  - Support West End Transformation planning
  - Work with the Planning Board on code, zoning and other issues affecting historic areas
  - Assist Fulton Heights and other neighborhoods with their local designation

Mayor Pro Tem Blackwell thanked Mr. Pitner and Ms. Gapen for their presentation.

### **HIGHLIGHTS AND GOALS – HURLEY PARK ADVISORY BOARD**

Landscape Architect Jane Ritchie and Ms. Daphne Beck, staff liaison, presented the Hurley Park Advisory Board Highlights for 2013 and Goals for 2014. Ms. Ritchie reviewed the 2013 Highlights:

- Held 25<sup>th</sup> Spring Celebration
- Annual Lecture
- Hosted Arbor Day celebration with the Tree Board
- Completed Phase 2 replanting
- Began Phase 3 replanting
  - Funded by the Hurly Foundation in addition to normal maintenance contributions
- Hosted five weddings and two events for Rowan Regional Medical Center
- High school prom pictures
- Continued routine maintenance
- Updated the irrigation map – 50 percent complete

Ms. Ritchie reviewed the Level 1 Goals for 2014-2015 which include a succession plan for Park Curator Daphne Beck.

Ms. Ritchie explained Ms. Beck has worked at Hurley Park for 26 years and may retire in 2018. She stated the Hurley Park Advisory Board would like to hire an assistant for Ms. Beck to make the transition easier. She noted the Hurley Foundation pays for half of all park employees' salaries and would pay half of the salary for an assistant for Ms. Beck. She noted the Foundation also pays for half of the maintenance costs associated with the park. She presented the remaining Level 1 Goals for 2014-2015:

- Continue Spring Celebration and Annual Lecture – \$ 2,000
- Complete Phase 3 replanting
- Replace picnic tables – \$3,370

Ms. Ritchie reviewed the Level 2 Goal for 2014-2015:

- Pond dredging

Ms. Ritchie thanked the Hurley Foundation, community, staff, and Council for its support of Hurley Park.

Mayor Pro Tem Blackwell thanked the Hurley Park Advisory Board and noted the park is a beautiful asset to the City.

### **HIGHLIGHTS AND GOALS – TREE BOARD**

Mr. Rodney Queen, Chair of the Tree Board, and Mr. Mark Martin, staff liaison, presented the Tree Board Highlights and Goals. Mr. Queen explained trees are an asset to urban environments and contribute to the overall health and livability of a community by:

- Reducing pollution
- Helping trap and hold harmful pollutants
- Absorbing carbon dioxide and other dangerous gases; replenish oxygen
- Producing enough oxygen per acre for 18 people daily
- Absorbing enough carbon dioxide, per acre each year to equal driving a car 26,000 miles
- Rowan County is a non-attainment county

Mr. Queen presented the Highlights for 2013:

- Chapter 8 of Landscaping Ordinance, Tree Protection, Preservation and Replacement – Status: complete
- Conducted Arbor Day at Hurley Park – Status: Complete
  - Planted a Honey Locust tree
- Eight street trees replaced (contracted) – Status: Complete
- East Innes replacement plantings (contracted) – Status: Complete
- Tree City USA for 28 Years
- City GIS Tree Inventory – Status: Ongoing

Mr. Queen reviewed the Tree Board Goals for 2014:

- City GIS Tree Inventory – \$5,000 to complete sections six and eight
- Provide funding for neighborhood tree planting projects and dead tree replacement along rights-of-way – \$2,000
- Sponsor a fall conference on the economic benefits of urban forestry in partnership with State and local organizations
- Continue educational training for tree companies, businesses and the general public
  - Purchase classified advertising
  - Newspaper articles
  - Handouts in utility bills
  - Utilize Access Channel 17 and social networking sites
- Continue to seek grants and alternative funding for urban forestry programming

- Continue to participate in Arbor Day and Tree City USA programs
- Amend City Code to change public tree infractions from civil penalties to citations/fines to be implemented by Code Enforcement
- Continue to develop a Tree Preservation Plan
- Develop a plan for community tree planting throughout the City similar to a BlockWork Program

Councilmember Kennedy thanked members of the Tree Board and staff for all they do for the City.

**NAPOLEAN B. MCCANLESS HOUSE – NATIONAL REGISTER OF HISTORIC PLACES**

Community Planning Services Director Janet Gapen and Planner Catherine Garner addressed Council regarding the nomination of the Napoleon B. McCanless House to the National Register of Historic Places. Ms. Garner displayed a photograph of the property and noted:

- Period of Significance: 1897-1920
- Located at 619 South Main Street at the corner of South Main Street and Military Avenue
- Three-story primary structure with a detached kitchen
- Architectural Classification: Second Empire, Colonial Revival
- Already on North Carolina’s National Register Study List
- Brings eligibility for historic rehabilitation tax credits
- Associated with Napoleon B. McCanless, local entrepreneur and investor
- Originally part of the five-acre McCanless homestead
- Owned by Livingstone College

Ms. Garner explained the areas of significance and noted properties nominated must qualify under one of four criteria. She added the McCanless property qualifies under Criterion B which states the property is associated with the lives of persons of past significance in commerce or industry.

Ms. Garner reviewed the nomination process and noted the McCanless house is at the Local Governing Body phase:

- State Historic Preservation Office
- Local Preservation Commission
- Local Governing Body
- North Carolina National Register Advisory Committee
- National Park Service – Keeper of the national register

Ms. Garner stated staff recommends setting a public hearing for February 4, 2014 to receive comments regarding the nomination of the Napoleon B. McCanless House to the National Register of Historic Places.

Thereupon, Mr. Miller made a **motion** to set a public hearing for February 4, 2014 to receive comments regarding the nomination of the Napoleon B. McCanless House located at 619 South Main Street to the National Register of Historic Places. Mr. Kennedy seconded the motion. Messrs. Kennedy, and Miller, and Mses. Alexander and Blackwell voted AYE. (4-0)

### **SPEED LIMIT – REEVES STREET**

Engineering Technician Vickie Eddleman addressed Council regarding the speed limit on Reeves Street. She explained staff received a petition requesting the speed limit be reduced from 35 mph to 25 mph. She displayed a map of the area and pointed out Reeves Street runs parallel to Bringle Ferry Road, between Hayden and Green Streets. She indicated Reeves Street is a narrow, unmarked, residential street.

Ms. Eddleman noted 73 percent of property owners support the reduced speed, and staff recommends adopting an Ordinance to amend section 13-336 of the City Code, relating to speed limits.

Thereupon, Mr. Kennedy made a **motion** to adopt an Ordinance amending Section 13-336, Article X, Chapter 13 of the Code of the City of Salisbury, relating to speed limits – generally. Mr. Miller seconded the motion. Messrs. Kennedy, and Miller, and Mses. Alexander and Blackwell voted AYE. (4-0)

### **ORDINANCE AMENDING SECTION 13-336, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO SPEED LIMITS – GENERALLY.**

(The above Ordinance is recorded in full in Ordinance Book No. 24 at Page No. 4, and is known as Ordinance 2014-02)

### **MAINTENANCE AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**

City Engineer Wendy Brindle explained North Carolina General Statutes charge the North Carolina Department of Transportation (NCDOT) Division of Highways with maintaining the State Highway System. She noted the General Statutes allow the Division of Highways to delegate the maintenance of system streets to municipalities qualified to do the work, and it requires a Standard Reimbursement Agreement with the municipality. She noted the City currently operates under a Standard Reimbursement Agreement that must be renewed every five years.

Ms. Brindle explained NCDOT implemented changes to Schedules A, B, and C to define maintenance functions and corresponding reimbursement rates that increased due to inflation. She noted the agreement is retroactive to July 1, 2013 and requests reimbursement on a quarterly basis. She indicated staff recommends adopting the Resolutions authorizing the City Manager and City Clerk to execute agreements with NCDOT regarding street system maintenance.

Thereupon, Ms. Alexander made a **motion** to adopt a Resolution authorizing the City Manager and City Clerk to execute an agreement with the North Carolina Department of Transportation concerning maintenance of traffic control devices, Schedule A – Signs. Mr. Kennedy seconded the motion. Messrs. Kennedy, and Miller, and Meses. Alexander and Blackwell voted AYE. (4-0)

RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION CONCERNING MAINTENANCE OF TRAFFIC CONTROL DEVICES, SCHEDULE A – SIGNS.

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 2, and is known as Resolution 2014-02)

Thereupon, Ms. Alexander made a **motion** to adopt a Resolution authorizing the City Manager and City Clerk to execute an agreement with the North Carolina Department of Transportation concerning maintenance of traffic control devices, Schedule B – Markings and Markers. Mr. Miller seconded the motion. Messrs. Kennedy, and Miller, and Meses. Alexander and Blackwell voted AYE. (4-0)

RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION CONCERNING MAINTENANCE OF TRAFFIC CONTROL DEVICES, SCHEDULE B – MARKINGS AND MARKERS.

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 3, and is known as Resolution 2014-03)

Thereupon, Ms. Alexander made a **motion** to adopt a Resolution authorizing the City Manager and City Clerk to execute an agreement with the North Carolina Department of Transportation concerning maintenance of traffic control devices, Schedule C – Traffic Signals. Mr. Kennedy seconded the motion. Messrs. Kennedy, and Miller, and Meses. Alexander and Blackwell voted AYE. (4-0)

RESOLUTION AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION CONCERNING MAINTENANCE OF TRAFFIC CONTROL DEVICES, SCHEDULE C – TRAFFIC SIGNALS.

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 4, and is known as Resolution 2014-04)



## **APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS**

This item was postponed. Mayor Pro Tem Blackwell encouraged all citizens interested in serving on a Board or Commission to apply.

## **PUBLIC COMMENTS**

Mayor Pro Tem Blackwell opened the floor to receive public comment.

Ms. Dee Dee Wright, 418 South Caldwell Street, inquired about net neutrality and the City's broadband system. She also asked Council to consider increasing the number of police officers in the City. She pointed out police officers have retired, relocated or resigned. Ms. Wright noted crime continues to rise in the West End community. She indicated the City needs additional police officers particularly in the West End.

Mr. William Peoples 522 North Fulton Street asked about the impediment for civil rights in the City. He referred to Dr. King and his legacy and the Charter of Elected Officials. He asked Council if it is doing all it can to improve the quality of life for citizens and to solve the issues that caused the civil rights struggle and continue to plague the community. He noted when elected officials argue everyone is affected. He pointed out there are 300 million people in the United States and 92 million are unemployed. He stated if something is not done the United States will fall into internal conflict.

Ms. Eva GeoRene Jones, 1608 3rd Street, stated at a previous meeting she asked Council to consider a Resolution of Cooperation with the Rowan County Commissioners. She thanked Council for adopting the Resolution. She noted she has a meeting with County Commission Vice-Chair Craig Pierce where she will point out Council has stated publically it is willing to work with the County Commission.

Mr. J.R. Dunkley, 3211 Winged Foot Drive, asked about the fully-loaded cost of Fibrant. He explained fully-loaded is a business term that includes all monies spent to produce a profit. He pointed out Fibrant costs were transferred to other departments increasing their operational expense. He asked about the future of Fibrant, and he pointed out the City is competing with national and regional firms. He questioned if Fibrant will be marketable in the future.

Mr. Scott Teamer, 2026 Rosemont Street, asked how the City ranks regarding diversity among leaders in the Police Department. He noted there is one African-American Sergeant in the Police Department, and he pointed out African-American representation within the department would benefit the City. He suggested the City is regressing, and he stated African-Americans have not been promoted past Sergeant in the last five years.

There being no one else to speak, Mayor Pro Tem Blackwell closed the public comment session.

## CITY MANAGER'S COMMENTS

(a) Response to Public Comments – Ms. Dee Dee Wright

City Manager Doug Paris stated Ms. Wright had a question regarding the court ruling related to net neutrality. He indicated staff is waiting to see how the Federal Communications Commission (FCC) will respond to the court ruling and how it will affect the State's broadband laws. He noted the State passed a broadband law that restricted the City's area of expansion, but he pointed out the Federal ruling has potential benefits to the City.

Mr. Paris explained he has spoken with Chief Collins regarding Police Department staffing. He noted Chief Collins indicated the second Police Intervention Team (PIT) will be operational by March 2014 and then staffing levels and their effectiveness will be reviewed. He noted he and Chief Collins will discuss departmental staffing needs to be brought before Council as part of the budget process.

(b) Response to Public Comments – Ms. Eva GeoRene Jones

City Manager Doug Paris explained Ms. Jones referenced the Resolution Council adopted January 7, 2014 pledging its cooperation with the Rowan County Commission. He noted Commission Chair Jim Sides did not want a similar Resolution on the Agenda for the Commission's January 21, 2014 meeting. He pointed out a Commissioner requested adding a Resolution of Cooperation to the Agenda, but it did not occur.

(c) Response to Public Comments – Mr. J. R. Dunkley

City Manager Doug Paris responded to Mr. Dunkley's questions regarding Fibrant and noted the staffing consolidation saved the City approximately \$1 million. He referenced the General Fund Budget from last year to the current year and pointed out the difference is \$6,000, or an increase of .01 percent. Mr. Paris explained the move was orchestrated by mid-level management to cut costs and consolidate operations to increase production across the different business sectors. He recognized the mid-level managers for their work to make the transition seamless, and staff for its work to cut costs and increase reliability.

(d) Response to Public Comments – Mr. Scott Teamer

City Manager Doug Paris emphasized the City is serious about diversity, not just in the Police Department, but in every department. He noted the City has had an African-American Police Chief and Assistant Police Chief.

(e) 2<sup>nd</sup> Quarter Financial Goals

City Manager Doug Paris asked Assistant City Manager John Sofley to present the second quarter financial update.

Mr. Sofley reviewed property tax values through mid-year and noted property tax values are at \$2.658 million, slightly less than the budgeted \$2.79 million. He explained this is due to the de-annexation of the Rowan County Airport.

Mr. Sofley indicated sales tax revenue experienced slow but steady growth that exceeded the budgeted amount. He pointed out the City has received one State franchise tax distribution for the current fiscal year. He noted the second distribution is due later this month.

Mr. Sofley stated General Fund revenue is at 57 percent, or \$21,623,677 of the budgeted \$37,934,015, which is similar to last year. He noted expenditures are at 47 percent, or \$17,741,321, also similar to last year.

Mr. Sofley reviewed the Water and Sewer Fund revenue for the second quarter. He explained revenue is at 53 percent, or \$12,641,134 of the budgeted \$23,891,874. He examined the Water and Sewer Fund through mid-year and pointed out sales are slightly over the projected amount due to tap fees and miscellaneous charges. He noted the Water and Sewer Fund is at 37 percent expended, or \$8,886,242, due to debt service costs that are payable later in the year.

Mr. Sofley noted Fibrant upgraded its speed for residential and non-dedicated commercial internet accounts at no cost to the customer. He reviewed the upgraded speeds:

	<u>Current Speed</u>	<u>Upgraded Speed</u>
<u>Residential</u>	15 x 15	20 x 20
	25 x 25	30 x 30
<u>Commercial (non-dedicated)</u>	6 x 1	12 x 2
	12 x 2	15 x 2
	15 x 6	20 x 6

Mr. Sofley indicated Fibrant has experienced consistent but conservative growth. He reviewed the average revenues per user and pointed out the percentage of uptime remains steady and staff is working toward Council's uptime goal of 99.999 percent.

Mr. Sofley reviewed Fibrant revenues versus expenses for the first six months and noted Fibrant generated enough revenue to sustain its expenses. He pointed out revenues were at \$2,223,678 and expenses were at \$2,162,085.

Mr. Sofley explained Transit revenues for the second quarter are at 38 percent, or \$44,649, of the budgeted \$118,104. He stated expenditures for the second quarter are at 41 percent, or \$473,983, of the budgeted \$1,163,757.

Mr. Sofley reviewed the Stormwater budget for the second quarter. He noted revenue is at 50 percent billed, or \$577,931, of the budgeted \$1,157,669, and expenditures are at 40 percent, or \$461,433. He added the collection rate is at 93 percent.

Councilmember Miller thanked Mr. Sofley and staff for the transparency.

Mayor Pro tem Blackwell requested copies of the presentation for Council.

Mr. Sofley stated Council will receive copies of the presentation which will also be available on the City website for public review.

**MAYOR'S ANNOUNCEMENTS**

(a) Centerpiece Project Public Reception

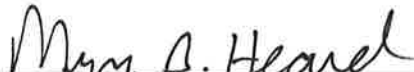
Mayor Pro Tem Blackwell announced a public reception and input session for the "Centerpiece" Project will be held at the Historic Salisbury Depot Wednesday, January 22, 2014 from 6:00 p.m. until 8:00 p.m. The public is invited to attend.

**ADJOURNMENT**

Motion to adjourn the meeting was made by Ms. Alexander seconded by Mr. Kennedy. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 4:53 p.m.



Paul B. Woodson, Jr., Mayor



Myra B. Heard, City Clerk