

Salisbury, North Carolina
April 20, 2004

REGULAR MEETING

PRESENT:	Mayor Susan W. Kluttz, Presiding; Mayor Pro Tem, Paul B. Woodson, Jr.; Councilmen William (Bill) Burgin; William (Pete) Kennedy; Mark N. Lewis; City Manager, David W. Treme; City Attorney, F. Rivers Lawther, Jr.; and City Clerk, Myra B. Heard.
ABSENT:	NONE

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Councilman Kennedy.

PLEDGE OF ALLEGIANCE

Mayor Kluttz led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Kluttz recognized all visitors present and welcomed the family of Fire Chief Sam Brady along with Fire Chief David Taylor of High Point.

RECOGNIZE FIRE CHIEF SAM BRADY

Mayor Kluttz called Fire Chief Sam Brady and his wife Dorothy forward where she read a Resolution honoring him for his thirty-four (34) years of service with the Fire Department. She then presented him with a framed copy of the Resolution and photographs.

Thereupon, Mr. Woodson made a **motion** to approve the Resolution. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

RESOLUTION OF APPRECIATION – FIRE CHIEF SAM BRADY

(The above Resolution is recorded in full in Resolution Book No. 12, Page No. 20, and is known as Resolution No. 2004-09.)

Ms. Lynn Raker, Urban Design Planner, presented a Power Point presentation of the Fireman's Memorial and noted that on behalf of City Council new plantings have been added to the entrance of the Memorial in honor of Chief Brady. Mayor Kluttz presented a mock-up of the plaque that will be placed at the Memorial in honor of Chief Brady along with a brick that will also be placed in the Memorial.

City Manager David Treme commented that Chief Brady has been an important member of the City's Management Team. Mr. Treme, along with members of the City's Management Team, presented Chief Brady with a gas grill and a gift certificate. He also presented Chief Brady with a check from the City of Salisbury in appreciation of his work and commitment.

Mayor Kluttz presented Chief Brady with his helmet as final expression of appreciation for his work.

PROCLAMATION

Mayor Kluttz proclaimed the following observance:

BETA SIGMA PHI WEEK

April 26-30, 2004

CONSENT AGENDA

- (a) Minutes

Approve Minutes of the regular meeting of April 6, 2004.

(b) Group Development Site Plan G-02-04 - United Beverages of NC

Approve Group Development Site Plan G-02-04, United Beverages of NC, and 385 Airport Road, and adopt Resolution authorizing the City Engineer to grant a variance of the City Code.

RESOLUTION AUTHORIZING THE CITY ENGINEER TO GRANT A VARIANCE OF THE CITY CODE, SECTION 22-73(e) FOR A DRIVEWAY PERMIT FOR 385 AIRPORT ROAD.

(The above Resolution is recorded in full in Resolution Book No. 12, at Page No. 21, and is known as Resolution No. 2004-10.)

(c) Group Development Site Plan - G-03-04 - Carolina Building Solutions

Approve Group Development Site Plan G-03-04, Carolina Building Solutions at Oakwood Business Park, 220 Ryan Patrick Drive.

(d) Budget Amendment - Old English Cemetery Project

Adopt a budget ordinance amendment to the FY2003-2004 budget in the amount of \$8,483 to appropriate donations received for the Old English Cemetery Project.

AN ORDINANCE AMENDING THE 2003-2004 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA, TO APPROPRIATE DONATION FOR THE OLD ENGLISH CEMETERY PROJECT.

(The above Ordinance is recorded in full in Ordinance Book No. 20, Budget, at Page No. 20, and is known as Ordinance No. 2004-20.)

(e) Budget Ordinance Amendment - ArcGIS Class

Adopt a budget Ordinance amendment to the FY2003-2004 budget in the amount of \$3,600 to appropriate funds received for an ArcGIS class.

AN ORDINANCE AMENDING THE 2003-2004 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA, TO APPROPRIATE FEES RECEIVED FOR ARC-GIS CLASS.

(The above Ordinance is recorded in full in Ordinance Book No. 20, Budget, at Page No. 21, and is known as Ordinance No. 2004-21.)

(f) Final Subdivision Plat S-05-04 - Mitchell Avenue Medical Park

Approve final subdivision plat S-05-04 Mitchell Avenue Medical Park, to create 2 non-residential lots out of a 4-acre tract at 810 Mitchell Avenue.

Mayor Kluttz asked to pull item (f) Approve final subdivision plat S-05-04 Mitchell Avenue Medical Park, to create 2 non-residential lots out of a 4-acre tract at 810 Mitchell Avenue, from the Consent Agenda in order to give staff the opportunity to provide additional explanation on this issue.

Mayor Kluttz noted a correction to the Minutes of April 6, 2004. She asked to make a change to page 8, paragraph 4 to read as follows:

“Mayor Kluttz noted that she had received a letter from Dr. Freeman at Livingstone College stating their objection to the apartment complex. Dr. Freeman stated that Livingstone College will not list the apartments for housing options for students and feels the units will not provide sufficient supervision. Mayor Kluttz commended Dr. Freeman for ~~clearly stating~~ *making it clear up front that the college will not approve this complex for their college students, but feels that this is an issue between the College and the property owners.*”

Thereupon, Mr. Woodson made a **motion** to approve the Consent Agenda items (a-e), leaving out (f) for further evaluation, and with the correction to the Minutes. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

FINAL SUBDIVISION PLAT S-05-04 - MITCHELL AVENUE MEDICAL PARK

Mr. Dan Mikkelson, Director of Land Management and Development, told Council that his office has received calls concerning this item and explained that in June 2003 a group development site plan was approved for Mitchell Avenue Medical Park. He noted that there was a lot of public involvement during that process. The item before Council today is to subdivide the property in accordance with the approved group development site plan. Mr. Mikkelson stated that under the City's ordinance the approved group development site plan serves the same function as a preliminary subdivision plat review and before a developer can obtain building permits the property has to be subdivided. He added that this final subdivision plat is consistent with the approved group development site plan and staff recommends approval.

Thereupon, Mr. Burgin made a **motion** to approve the final subdivision plat S-05-04 Mitchell Avenue Medical Park. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

SPECIAL COMMUNITY EFFORTS GROUPS - 2004-2005 CITY BUDGET REQUESTS

Mayor Kluttz informed Council that requests for funding would be received from "special community efforts groups" concerning their FY2004-2005 Budget.

Dr. Ronald Hash, Love Center for Community Enhancement, spoke to Council concerning the Love Center at the V.A. "Bill" Hefner Medical Center. He explained that it is a facility to provide housing for homeless veterans. Dr. Hash stated that they provide residence and support services and currently house sixteen (16) homeless veterans. He noted that the Center has received a grant from the United States Veterans Administration and the Hefner Medical Center is allowing the Center to use a building on the campus of the medial facility. The grant will be used to operate the facility and will allow them to provide services for an additional twenty-eight (28) veterans. Dr. Hash stated that by having the facility on the campus of the VA Hospital the veterans can easily obtain medical services.

Mr. Darrell Lawson, Love Center graduate, told Council that he had lived with the Love Center for two (2) years and he has recently graduated from the program and is now working full time as house manager with the Love Center.

Dr. Hash told Council that the grant will provide money to operate the program but the building still needs to be renovated. He estimated the cost to be approximately \$100,000 and asked Council for any assistance they can provide.

SECOND READING - ORDINANCE NO. 2004-19 - ADD PERMITTED USES TO THE B-CS CONVENIENCE SERVICE BUSINESS DISTRICT

Mayor Kluttz noted that this item received a 3-2 vote at the April 6, 2004 Council meeting and it is necessary to have a second reading for approval.

Thereupon, Mr. Lewis made a **motion** to adopt the Ordinance amending Appendix B, Zoning, of the Code of Ordinances of the City of Salisbury, North Carolina, to list additional permitted uses to Section 8.31 Convenience Services Business District (B-CS). Mr. Woodson seconded the motion. Messrs. Burgin, Lewis, Woodson voted AYE and Ms. Kluttz and Mr. Kennedy voted NAY. (3-2)

AN ORDINANCE AMENDING APPENDIX B, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF SALISBURY, NORTH CAROLINA, TO LIST ADDITIONAL PERMITTED USES TO SECTION 8.31, CONVENIENCE SERVICE BUSINESS DISTRICT (B-CS).

(The above ordinance is recorded in full in Ordinance Book No. 20, Zoning & Planning, at Page No. 19, and is known as Ordinance No. 2004-19.)

It was necessary to have a second reading on the above ordinance due to the lack of an affirmative vote of two-thirds of all members of the City Council.

CABLE FRANCHISE AGREEMENT WITH TIME WARNER CABLE

Mayor Kluttz stated that she and Councilman Burgin met with staff to review the franchise agreement and it is presented as a recommendation to Council.

Mr. Michael Crowell, Information Technology Manager, stated that the City has been working for several months to renegotiate a cable franchise agreement with Time Warner Cable.

Mr. David Harris, Piedmont Triad Council of Governments, explained that he has worked with City staff, as well as other municipalities and Rowan County, to develop a franchise renewal with Time Warner Cable. He noted that the agreement complies with the City's Regulatory Ordinance and is for a term of fifteen (15) years. Mr. Harris stated that the agreement offers a five percent (5%) franchise fee to be paid on a quarterly basis and Time Warner will pay the City \$10,000 to operate and maintain a combined education and government channel. He explained that at the end of five (5) years the channels can then be split into two (2) separate channels. Time Warner is also offering internet service at a reduced commercial rate to the City, municipalities and the County.

Councilman Kennedy asked Mr. Harris to explain the government and education channel.

Mr. Harris stated that the City currently has a government access channel, which is a public access channel. He explained that the Cable Committee decided to expand the channel to provide additional governmental information and recommended combining the government and education channel, write a set of standard operating procedures and then use the channel in that format. He added that after five (5) years it can be reviewed to determine if the channels should be split into two (2) separate channels.

Councilman Lewis asked about the jurisdictions in the franchise agreement. Mr. Harris replied that the municipalities listed, as well as Rowan County, are the only ones who are franchise holders.

Mr. Harris informed Council that in the State of North Carolina a franchise agreement requires two readings and adoptions.

Thereupon, Mr. Kennedy made a **motion** to approve the cable franchise agreement with Time Warner Cable for fifteen (15) years. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE BY THE CITY COUNCIL, CITY OF SALISBURY, NORTH CAROLINA CONSENTING TO THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE CITY OF SALISBURY AND TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP.

(The above Ordinance is recorded in full in Ordinance Book No. 20, Miscellaneous, at Page Nos. 22-23, and is known as Ordinance No. 2004-22.)

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PHASE 2 APPLICATION

Mr. Patrick Ritchie, Staff Engineer, informed Council that staff has worked with the North Carolina League of Municipalities to develop an application for the National Pollutant Discharge Elimination System (NPDES) Phase 2 permit. He explained that in compliance with the regulations a legally responsible party must be designated and the Resolution provided by the League designates the City Manager as that party and authorizes him to sign and submit the application.

Thereupon, Mr. Woodson made a **motion** to authorize the City Manager as the representative and legal party for the NPDES Stormwater regulations and to adopt the Resolution. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

RESOLUTION AUTHORIZATION TO SUBMIT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PHASE II PERMIT APPLICATION AND STORMWATER MANAGEMENT PLAN.

(The above Resolution is recorded in full in Resolution Book No. 12, at Page No. 22, and is known as Resolution No. 2004-11.)

REPORT FROM MR. ROBERT CRUM - RESTORATION OF THE OLD ENGLISH CEMETERY

Mr. Robert Crum, 116 East Council Street, reviewed the Old English Cemetery Restoration Project with Council. He noted that he approached Council in September 2003 to express his concerns about the need to restore the Old English Cemetery and proposed raising the money to pay for the repairs. The estimate from Salisbury Granite for work at the Cemetery was \$8,483 and through generous support of the community the money was raised for the work.

Mr. Crum told Council that on March 18, 19 and 27, 2004, Salisbury Marble and Granite completed work at the Old English Cemetery. He reviewed the work to straighten the headstones and showed Council before and after pictures of the Cemetery to show how the stones were straightened and repaired.

Mr. Crum stated that volunteers are currently working to map locations of individual markers, and noted that this had never been done. He added that they will also record the inscriptions on the stones so that there will be a record of the information as it exists today.

Ms. Janet Gapen, Planner II, explained the next steps for the Cemetery restoration which will include:

- Locate family plots and unearth granite coping
- Receive bids for ironwork restoration
- Create ArcGIS map of cemetery and cross-referenced list of markers
- Incorporate other biographical research
- Make information available to the public
- Explore various approaches for long-term, curatorial maintenance

Ms. Gapen noted that old cemeteries like the Old English Cemetery draw many people who perform genealogical research and those who are interested in history to Salisbury and they are a valuable asset to tourism.

Mr. Crum commented that people who visit older cities like to wander through old cemeteries and encouraged Council to look at them as an asset and part of our history and to determine how to maintain and use them as valuable historic sites.

Mayor Pro Tem Woodson asked Mr. Crum how many graves are in the Old English Cemetery. Mr. Crum stated that the number is unknown because many of the graves are unmarked, but he believes there are in excess of two hundred fifty (250).

Mayor Kluttz thanked Mr. Crum for his leadership in the restoration of the cemetery.

REPORT FROM STAFF - OAK GROVE/FREEDMAN'S CEMETERY MEMORIAL PROJECT

Mr. Joe Morris, Planning and Community Development Manager, spoke to Council concerning the Oak Grove/Freedman's Cemetery Memorial Project. He stated that he and Ms. Denny Meacham, Executive Director of Waterworks Visual Arts Center, have worked with the Oak Grove/Freedman's Cemetery Memorial Project Committee since March 1997 to reach the point they are at today.

Mr. Morris reviewed the site of the Oak Grove/Freedman's Cemetery and noted work that has been done, through a separate project, along the

sidewalks on Liberty Street. He told Council that the Committee has received a Certificate of Appropriateness from the Historic Preservation Commission (HPC). Mr. Morris noted that there was quite a bit of input during the process and the Committee actually returned to the HPC with a modified proposal, which was approved. He referred to a granite wall in the cemetery that was built in 1855, noting it was approximately one hundred eighty feet (180') long. The original proposal had a breach in the stone with an iron and stone archway. He noted that this proposal was approved by the HPC in July 2003, but when the artist withdrew from the project the Committee had to select a different design. The new design called for a twenty foot (20') wide opening in the wall and the removal of a course of granite block for approximately one hundred sixty feet (160'). The stone was to be reused on site as part of another wall. Mr. Morris noted that the HPC did not feel this was an acceptable design so the Committee presented an alternate proposal. The alternate proposal leaves the wall in tact with the exception of a ten foot (10') wide opening. This will minimize the amount of cutting to the stones and will use the cut stone on site, but not as part of another structure. Mr. Morris noted that this will show a differentiation between the granite wall and the contemporary memorial that is being built on site. He added that the Committee will add an interpretative element that will make it clear that the breach in the wall is a 2004 modification.

Mr. Morris informed Council that the artist is proposing the use of a decorative street paving pattern that is based on a West African textile motif. He noted that this correlates with the history of the surrounding neighborhood because at one time Church Street Presbyterian was located where the Rowan County Detention Center now stands, and the AME Zion Church is across the street from the Cemetery. Mr. Morris added that on the property adjacent to the cemetery there was, at one time, an African American community known as Bostian Alley.

Dr. Catreli Hunter, Committee Chair, expressed appreciation to Council for their support of the Committee. She introduced Committee members: Dr. Murray Edwards, Ms. Frieda Nikolai, Ms. Denny Meacham, Mr. Edward Norvell, Dr. Arletta Massey, Dr. Bryant Norman, Ms. Eleanor Quadirah, and Ms. Ruby Miller. She added that there are other members who have worked with the Committee and she appreciates everyone's work and support.

Mayor Kluttz asked Mr. Morris to explain the budget for the Project. Mr. Morris stated that the overall budget for the project is approximately \$240,000. \$215,000 is for the actual construction and architectural fees and the remaining amount was used in planning for the project. He added that to date the City has contributed \$10,000 to the project and anticipates another \$5,000 through a City grant. Mr. Morris noted that less than 6% of the budget has come from the City of Salisbury with the remainder coming from individuals, foundations and businesses.

Councilman Kennedy thanked the Committee for their steadfastness in working with the project.

Mayor Kluttz stated that as far as the wall is concerned, there is no question that historic preservation is very important in Salisbury. She thinks by adopting this proposal, Council will be balancing the damage that will be done by the small interruption to the wall with the impact of the symbolism of returning the cemetery to the way it was originally designed, as one united cemetery. She added that by doing this it is a symbol of the City and its races today. Mayor Kluttz stated that she felt it was more important to promote the unity and doing the project will create history today for 2004.

Councilman Burgin stated that Council has always been supportive of the City's history but has also been deliberate in its direction of unifying the people of the City. He added that he felt Council is creating a statement of history and the idea of clearly acknowledging the opening as an event of today is very important.

Thereupon, Mr. Kennedy made a **motion** to support the preliminary design from the Oak Grove/Freedmen's Memorial Project Committee as presented. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson and Ms. Kluttz voted AYE. (5-0)

REPORT FROM STAFF - FARMER'S MARKET

Mr. Joe Morris, Planning and Community Development Manager, introduced Mr. Mike Turco, President of the Salisbury-Rowan Farmers Market Association. Mr. Morris reviewed the design plan for the site, which is located on the corner of Bank and Main Streets. Mr. Morris noted that the centerpiece of the design will be two (2) shade canopies covering the center lanes where shoppers will walk. He informed Council that the plan has been approved by the Historic Preservation Commission (HPC).

Mr. Morris told Council that to date the Salisbury-Rowan Farmers Market has created a board of directors with officers, adopted market rules, set operation dates and hours, created an application form for vendors, applied for a grant, created a Market Manager job description, and obtained a Certificate of Appropriateness from the HPC. He noted that the market will operate Tuesdays, Thursdays, and Saturdays. Mr. Morris added that although they plan to open on May 15, 2004 the grand opening will be held some time later when more produce is in season.

Mayor Kluttz thanked everyone for their work on this project and noted that citizens are excited to buy produce from the local farmers.

REPORT FROM STAFF - MAIN STREET RESURFACING

Mr. Dan Mikkelson, Director of Land Management and Development, informed Council that the North Carolina Department of Transportation (NCDOT) is preparing to resurface Main Street. He stated that this is performed every fifteen (15) to twenty (20) years and will begin sometime this summer. The project will run from the Spencer city limits to just short of Jake Alexander Boulevard.

Mr. Mikkelson told Council that in the downtown area the contractor will be milling off the existing pavement, and will be restricted to Sunday afternoons in an effort to minimize the impact on the downtown businesses. He added that this is expected to take two (2) to three (3) weekends to complete.

Mr. Mikkelson stated that in preparing for the Main Street resurfacing staff has worked with Downtown Salisbury, Inc. (DSI) to determine if

changes to the area should be made. He noted that they used input from the Downtown Master Plan, the DSI Square Charrette, and a DSI public workshop. He stated that the design elements being reviewed by staff include:

- ADA Parking (1 van space per block face)
- Decorative cross-walks (consider with normal budget cycle)
- Mid-block pedestrian crossings (if parking conflicts are minimal)
- Planted islands
- Three (3) lane cross-section

Mr. Mikkelson said that there was a lot of interest in the planted medians and the one spot where it would be practical to install them, with the least conflicts, is in the 700 and 800 blocks of South Main Street. He noted there are relatively few business driveways that would be impacted and there would be the benefit of traffic calming. Mr. Mikkelson stated that staff spoke with NCDOT to determine their standards for installing planted medians, and they would require staff to plan for U-turns in the area for secondary access. Mr. Mikkelson noted that there is not enough time to make those plans and staff recommends deferring this issue while developing a "small area plan" to protect secondary access in this area.

Mr. Mikkelson reviewed a plan for a three (3) lane cross-section and stated that in traffic simulations the level of service for both a three (3) lane and a four (4) lane cross-section. He stated that staff asked the Fire Department for comment on a three (3) lane versus four (4) lane cross-section and they indicated no preference. Mr. Mikkelson pointed out that currently with the angled parking there are frequently cars that stick out into the roadway. If a three (3) lane cross-section were adopted longer angled parking spaces would be extended so that the travel lane would not be encroached upon by parked cars. Mr. Mikkelson stated that one of the primary reasons for considering a three (3) lane cross-section is that it allows for left turns off of Main Street onto Innes Street. He added that it would make the downtown area a destination rather than a highway. Mr. Mikkelson told Council that staff feels the three (3) lane cross-section will function just as effectively as the four (4) lane cross-section currently does.

Mr. Mikkelson reviewed staff recommendations:

- ADA parking guidelines – one van-accessible space at wheel chair ramp per block face
- Consider decorative cross-walk with budget
- Consider pedestrian crossing with parking plan
- Small area plan for future planted medians
- Await DSI Board endorsement on number of lanes – April 27, 2004
- Conduct public hearing on May 4, 2004

Mayor Kluttz asked Mr. Mikkelson when Council will need to make a formal decision. Mr. Mikkelson told Council that until the contractor for the resurfacing project gives a start date he does not know how much time the City has to react. He stated that he will have more information at the public hearing on May 4, 2004.

Mayor Kluttz stated that Council has not endorsed this plan and no decision has been made. She added that Council wants to receive public comment before making a decision.

Mayor Pro Tem Woodson commented that he had heard negative comments on the three (3) lane cross-section and asked staff to make sure that all of the downtown merchants are notified of the public hearing.

Councilman Burgin stated that he was at the public workshop for the Main Street resurfacing and the traffic model used by staff made it appear that the three (3) lane cross-section will work. He noted that he feels the three (3) lane cross-section is a credible choice whether it ends up being Council's choice or not, but he feels it could be a positive change.

Mayor Kluttz stated that she felt it would be helpful to see the traffic model developed by staff before the public hearing.

Mr. Mikkelson told Council that having the Downtown Salisbury, Inc. workshop allowed staff to hear some of the concerns and questions raised by citizens in order for staff to study them.

Councilman Kennedy asked Mr. Mikkelson if there is a road paving schedule for the City. Mr. Mikkelson stated that for state streets NCDOT only lists roads that will be resurfaced this year, because the information the State provides does not go into future years. For City streets staff rates the streets and lists them in worst case order. He added that formula takes into consideration the traffic count for a road and although a road may be in poor shape if it is not traveled heavily it may not rank as high as another road that is not traveled as heavily.

Councilman Lewis asked to have real pictures while discussing alternate plans to have a better idea of what a three (3) lane cross-section looks like. Mr. Mikkelson stated that he does not know of any cities with three (3) lanes and angled parking so it may be difficult to find pictures.

COUNCIL COMMITTEE REPORT - APPOINTMENTS TO THE CIVIC/CONVENTION CENTER TASK FORCE

Mayor Pro Tem Woodson reported that a letter has been sent to individuals asking them to serve on the Civic/Convention Center Task Force and staff has received positive feedback. He noted that they were not ready to release the names today but will be ready at Council's next meeting.

Mayor Kluttz asked Councilmen Kennedy and Burgin to serve on the Civic/Convention Center Task Force and each agreed to participate.

PLANNING BOARD - APPOINTMENT

Upon **motion** of Mr. Lewis, seconded by Mr. Burgin, and with Messrs. Burgin, Kennedy, Lewis, Woodson and Ms. Kluttz vote AYE, the following appointment was made to the Planning Board

Ms. Diane Young appointment Term expires 3-31-2007

COMMENTS FROM THE CITY MANAGER

(a) Planning Board Recommendations

Council received the Planning Board recommendations and comments from their April 13, 2004 meeting.

(b) Review of Term Limits

City Manager Treme informed Council that Mr. David Lawrence of the Institute of Government is available to meet with them on Tuesday, May 4, 2004. He noted that staff will set up a briefing with Mr. Lawrence to discuss term alternatives at 3:00 p.m. before Council's regular meeting on May 4, 2004.

(c) Police Department Expansion

Ms. Karen Alexander of KKA Architecture reviewed the planning process leading to the proposed expansion plan for the Police Department facility being presented today. She noted that the exhaustive planning process and decision to expand the current building has netted the City and its citizens approximately sixty percent (60%) in savings over building a new building on a new site. She stated that the new building will be two (2) stories and fourteen thousands square feet (14,000').

Ms. Alexander and Mr. Jon Palmer, Architect, showed Council a three (3) dimensional model of the proposed expansion on the corner of Lee and Liberty Street. She noted that the design is in alignment with policy D-6 of the Salisbury Vision 2020 Comprehensive Plan.

Councilman Lewis asked why there was not a break in the center of the ramp at the entrance to the building. Ms. Alexander noted that there are stairs to the side, but one reason they did not put a break directly in the center is because there is a traffic signal mast arm directly in front of the entrance. Councilman Burgin asked Ms. Alexander if she had a particular preference for the mast arm to be located in the middle. Ms. Alexander replied that they would rather the mast arm not be there but were told it could not be moved. Mr. Burgin commented that the only problem he could see with the design is the location of the mast arm. He added that he would like to incorporate the money into the project to move the mast arm, if at all possible.

Mr. Mikkelson told Council that the mast arm is owned by Duke Power but they would move it at Council's request and at the City's expense. He noted that the problem with moving the mast arm is there is not another location to move it and have the traffic signals facing in the same directions. Mr. Burgin stated he would favor two (2) poles in order to move it from the center if that is possible.

City Manager Treme noted that this entrance is the best for the flow of the building and added that he felt it would be possible to change the mast pole into two (2) poles.

Mr. John Sofley, Finance Director, informed Council that there is a contingency fund built into the budget for the building in order to meet needs such as this.

Ms Alexander noted that if the mast arm is moved it will allow for a wide bank of steps into the entrance way with the ramps moved to either side of the steps.

By consensus Council agreed to proceed with the project including the two (2) mast arm solution for the front entrance.

MAYOR'S ANNOUNCEMENTS

(a) North Carolina League of Municipalities

Mayor Klutz announced that the North Carolina League of Municipalities will hold an area meeting in Albemarle, NC on April 27, 2004.

(b) Salisbury, England Boy Scouts

Mayor Klutz asked Council to mark their calendars for lunch on July 30, 2004 with the Salisbury England Boy Scouts. She stated that plans are not yet finalized but will be announced at a Council meeting in May.

(c) Joint Meeting with Rowan County

City Manager Treme noted that the County Commissioners have requested a joint meeting to discuss matters of mutual concern. He stated that staff will extend an invitation to the County Commissioners to meet at City Hall and will work out an appropriate time.

(d) Associated Asphalt

Mayor Pro Tem Woodson stated that he had been contacted by a representative of Milford Hills and the smell from Associated Asphalt has returned. He asked for staff to investigate.

CLOSED SESSION

Mayor Klutz informed Council that she would entertain a motion for the Council to go into closed session for the purpose of consulting with an attorney as allowed by NCGS 143-318.11(3).

Thereupon, Mr. Lewis made a **motion** to go into closed session for the purpose of consulting with an attorney as allowed by NCGS 143-318.11(3). Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

RETURN TO OPEN SESSION

Thereupon, Mr. Burgin made a **motion** to return to open session. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson and Ms. Klutz voted AYE. (5-0)

Mayor Klutz announced that no action was taken during closed session

RECESS

Motion to recess the meeting until Tuesday, May 4, 2004 at 3:00 p.m. was made by Mr. Lewis, and seconded by Mr. Woodson. All council members agreed unanimously to recess. The meeting was recessed at 7:26 p.m.

Mayor

City Clerk