

Salisbury, North Carolina  
March 17, 2020

## **REGULAR MEETING**

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

**ABSENT:** City Clerk Diane Gilmore and Deputy City Clerk Tiffany Crook.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 6:00 p.m. A moment of silence was taken.

## **PLEDGE OF ALLEGIANCE**

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

## **RECOGNITION OF VISITORS**

Mayor Alexander welcomed all visitors present.

## **CHANGES TO THE AGENDA**

Mayor Alexander noted the following changes to the Agenda:

Add – Proclamation for Women’s History Month.

Add – Proclamation for Transgender Day of Visibility.

Change – Agenda item 11 to Ordinance Suspending Utility Disconnects.

### **CORONAVIRUS (COVID-19) PRECAUTIONS – DELAYING AGENDA ITEMS**

Council discussed delaying Agenda items due to COVID-19 precautions. City Manager Lane Bailey asked Planning Director Hannah Jacobson if there would be a problem delaying Agenda item 10 for Council to consider adopting an Ordinance establishing a moratorium pursuant to NC General Statute 160A-381(e) on City Council’s consideration and approval of Historic Landmarks. Councilmember Miller indicated the delay could allow time for further applications to be submitted. Ms. Jacobson agreed, and she added one application will be grandfathered in the current process. Mr. Bailey recommended the Agenda item be delayed.

Mayor Alexander asked if there would an issue delaying Agenda item 9 for Council to consider Land Development District Map Amendment Z-02-2019 to rezone six parcels at the corner of West Marsh and Ellis Streets from General Residential (GR-6) to Urban Residential (UR-12) and two parcels with a split zoning of GR-6 and Historic Residential (HR) to HR only. Development Services Manager Teresa Barringer commented the item could be postponed. She noted the original petitioner has purchased the house, and she added staff has worked with him to withhold any action pending this item coming before Council.

City Attorney Graham Corriher commented a motion needs to be made for the postponement of the Agenda items, and he added those items will need to be postponed indefinitely due to not knowing when they will be brought back to Council.

Councilmember Post made a **motion** to postpone Agenda item 9 indefinitely. Mayor Alexander, Mayor Pro Tem Heggins, Councilmembers Miller, Post, and Sheffield vote AYE. (5-0)

Councilmember Post made a **motion** to postpone Agenda item 10 indefinitely. Mayor Alexander, Mayor Pro Tem Heggins, Councilmembers Miller, Post, and Sheffield vote AYE. (5-0)

### **ADOPTION OF THE AGENDA**

Thereupon, Councilmember Miller made a **motion** to adopt the Agenda with the presented changes. Mayor Alexander, Mayor Pro Tem Heggins, and Councilmembers Miller, Post, and Sheffield voted AYE. (5-0)

### **PROCLAMATION**

Mayor Alexander issued the following Proclamations:

ARBOR DAY	March 17, 2020
ACCESS 16 15 <sup>th</sup> ANNIVERSARY	April 1, 2020
WOMEN’S HISTORY MONTH	March 2020
TRANSGENDER DAY OF VISIBILITY	March 31, 2020

## CONSENT AGENDA

(a) Minutes

Adopt Minutes of the Regular meeting of February 18, 2020.

(b) Auditing Service Contract

Award a contract in the amount of \$35,500 to Elliot Davis, PLLC for auditing services for the fiscal year ending June 30, 2020.

(c) Resolution to ratify the sale of STE20703

Adopt a Resolution to ratify the sale of STE20703, a 2008 F-750 garbage and refuse truck, to Joe Ford of the Trash Man, Terre Haute, Indiana for \$45,025.

RESOLUTION TO RATIFY THE SALE OF SURPLUS PERSONAL PROPERTY SOLD BY THE CITY OF SALISBURY FOR MORE THAN \$30,000.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 12 and is known as Resolution 2020-09.)

(d) Resolution authorizing upset bid process for the sale of parcel 451A-194

Adopt a Resolution authorizing the upset bid process for the sale of parcel 451A-194, located in the 400 block of Freedom Drive, for \$5,000.

RESOLUTION SUPPORTING UPSET BID PROCESS FOR THE SALE OF PARCEL #451A-194 LOCATED IN THE 400 BLOCK OF FREEDOM DRIVE

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 13-14 and is known as Resolution 2020-10.)

(e) Right of Way Encroachment on Industrial Avenue and Jake Alexander Boulevard

Approve a right-of-way encroachment by Level (3) for the installation of directional bored duct on Industrial Avenue and Jake Alexander Boulevard per Section 11-24(27) of the City Code.

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

## PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

Mr. Alfred Wilson expressed his concerns regarding historical houses and landmarks within the City that are not being preserved. He commented the architecture and heritage in Salisbury that has been passed down is not being respected nor preserved.

Ms. Lilianna Spears thanked Council for information presented in both English and Spanish. She requested all notifications be available in Spanish because most children do not translate to their parents what is really being said. She commented she heard budget cuts were to take place. She asked Council to remove the Police Department from proposed budget cuts because officers on the forefront are why safety in the City has improved.

There being no one else to address Council, Mayor Alexander closed the public comment session. She thanked everyone who spoke during the public comment session.

### **LAND DEVELOPMENT DISTRICT MAP AMENDMENT Z-02-2019**

This item was postponed.

### **ORDINANCE ESTABLISHING A MORATORIUM**

This item was postponed.

### **ORDINANCE SUSPENDING UTILITY DISCONNECTS**

City Attorney Graham Corriher pointed out an Ordinance was drafted regarding the suspension of utility disconnections.

City Manager Lane Bailey lauded staff for its work the past week regarding COVID-19 actions. He noted the City has looked at reducing its water disconnections. He pointed out Mayor Pro Tem Heggins asked about water disconnections and reconnections. He noted 36 water disconnections took place this past month so there is a limited number of people involved with limited financial impact on the City's budget if the City reconnects them. He commented staff will contact the customers in need of water reconnections to ensure they remain at the property and to avoid potential flooding if something had been left on.

Mr. Corriher pointed out the Ordinance suspends disconnections and reconnections, and he noted the Ordinance will go back 30 days and is effective as soon as it is adopted by Council to will remain in effect until it is rescinded.

Mr. Bailey commented staff will continue to send bills, collect payments and work with social agencies to assist customers. He noted if the City did not continue normal billing and collection procedures it might create significant bills for residents in the future. He encouraged the community to continue giving to United Way, Rowan Helping Ministries, churches, and to help those in need.

Councilmember Sheffield clarified the Ordinance suspends disconnections until further notice. Ms. Moore agreed, and she noted disconnections will not take place unless the owner requests the disconnection.

Mayor Pro Tem Heggins asked if the City has a process in place to ask the property owner if there are tenants in the house when a property owner requests water to be disconnected. Ms. Moore commented legally the property owner is being billed for services and if they request water disconnection, the City has to disconnect and does not know if tenants are living in the home. She noted if the property owner is not going to take financial responsibility for the bill, it is up to the tenant to reconnect services in their name.

Mayor Pro Tem Heggins asked if the property owner can be asked if there is a family living in the residence if they request water services to be disconnected. Mr. Corriher commented staff can ask the property owner if they have a reason to believe tenants may still be in the residence and can contact the tenant to let them know what needs to take place. Mr. Bailey noted staff will work with residents to get through this situation.

Councilmember Miller requested the financial report to be presented in the fall include what impact this situation has had on the City. Mr. Bailey agreed.

Thereupon, Mayor Pro Tem Heggins made a **motion** to adopt the Ordinance as submitted. Mayor Alexander, Mayor Pro Tem Heggins, and Councilmembers Miller, Post, and Sheffield voted AYE. (5-0)

AN ORDINANCE AMENDING THE CITY OF SALISBURY CODE OF ORDINANCES TO TEMPORARILY SUSPEND UTILITY SERVICE DISCONNECTIONS TO ENSURE THE PUBLIC HEALTH DURING THE COVID-19 PUBLIC HEALTH CRISIS.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 23, and is known as Ordinance 2020-19.)

City Manager Lane Bailey pointed out Hotwire Communications will offer free internet for 60 days if there is a K-12 student in the residence. He thanked Hotwire Communications for providing these services.

### **BUDGET ORDINANCE AMENDMENT- CITY PARK LAKE RENOVATIONS**

Parks and Recreation Director Nick Aceves asked Council to consider adopting a budget Ordinance amendment to the FY2019-2020 budget in the amount of \$150,000 to complete City Park Lake renovations. He explained the request is so funding can be received to complete the project without a delay to avoid the possibility of the lake back filling or other complications. He pointed out the cost of \$150,000 is less than what was previously requested for next fiscal year.

Councilmember Post commented he has received complaints regarding City Park Lake. He suggested letting the public know the project is ahead of schedule.

Public Works Assistant Director Chris Tester pointed out staff began a Stormwater project on the upper end of the lake while waiting for the budget Ordinance amendment to pass. He noted approval has been received from zoning and Rowan County for the new pier, and he added a permit should be received within the next week to move forward with the installation of the pier.

Thereupon, Councilmember Miller made a **motion** to adopt a Budget ORDINANCE amendment to the FY 2019-2020 budget in the amount of \$150,000 to appropriate General Fund Balance to complete City Park Lake renovations. Mayor Alexander, Mayor Pro Tem Heggins, and Councilmembers Miller, Post, and Sheffield voted AYE. (5-0)

ORDINANCE AMENDING THE 2019-2020 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE FUND BALANCE IN GENERAL FUND FOR CITY PARK LAKE.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 24, and is known as Ordinance 2020-20.)

### **BOARDS AND COMMISSIONS**

No appointments were made.

Councilmember Miller asked about precautions being taken for the Boards and Commissions meetings. City Attorney Lane Bailey commented Boards and Commissions are encouraged to cancel meetings unless they are legally required and to abide by all guidelines.

Councilmember Miller commented Council's Rules of Procedures indicate Council cannot hold remote meetings. He asked City Attorney Graham Corriher to check for any recommendations that can be made in the event there is a need to hold a remote meeting. Mr. Corriher noted no official change has been made in the law regarding electronic meetings, and it is not clear whether remote meetings are allowed. He indicated it could change due to the events taking place, and he will keep Council informed.

Mr. Bailey noted the courts would probably be lenient due to the current circumstances. He commented the School of Government should provide options. Mr. Corriher stated the City of Durham is going to those types of meetings, and he added he will keep in contact with other cities and the North Carolina League of Municipalities to learn the mechanics of what is going on.

### **CITY ATTORNEY'S REPORT**

City Attorney Graham Corriher indicated he had nothing to report to Council.

## **CITY MANAGER'S REPORT**

City Attorney Lane Bailey commented staff is working to clear the Agenda for Council's April 2, 2020 meeting, and he added there is potentially an annexation and a Community Development Blockwork Grant (CDBG) public hearing that would need to take place. He indicated there is a deadline regarding the CDBG, but staff will request an extension. He noted the main priority is to continue City operations and services at the same level citizens are used to while at the same time keeping employees safe and abiding by federal, state and Rowan County Health Department recommendations. He added the Rowan County Health Department has the lead role in local government during this situation.

Mr. Bailey pointed out the City has taken precautions in each department regarding staffing and how staff interacts with the public. He added online, telephone, and email interactions are encouraged rather than face-to-face interactions. He noted the City will look into platooning where departments with a larger number of employees in a small space will work remotely every other day. He added the advantage is hopefully no one is affected and if someone is, then the whole staff would not be affected. He reviewed precautions and operations each department is taking in response to the COVID-19 situation.

Mr. Bailey noted any scheduled meeting should be postponed and traveling is discouraged unless it is deemed essential. He pointed out he is proud of the great work staff has done and the remarkable job they continue to do. He suggested residents continue to give to charitable organization due to the greater need in the community at this time.

Mr. Bailey expressed his concern about the budget, and he added he has been working with Finance Director Shannon Moore regarding revenue projections, but those will have to be recalculated due to the COVID-19 situation. He added Salisbury is a wonderful and resilient community with good people and will get through this.

Mayor Pro Tem Heggins asked if Rowan County would be financially responsible for the cost of the COVID-19 screening tests given prior to police officers taking people into custody since they are the ones asking for those tests to be taken. Mr. Bailey indicated he is still unsure.

Mayor Pro Tem Heggins asked if the first responders have everything they need. Fire Chief Bob Parnell noted personal protective equipment is getting hard to find for the Fire Department, and he added he reached out to Rowan County and other surrounding areas. He indicated the national stockpile has not opened yet. He added besides the personal protective equipment, the Fire Department has everything it needs to continue to respond.

Mayor Pro Tem Heggins asked if the City could partner with any of the Navy or Army reserve to request personal protective equipment. Fire Chief Parnell commented staff has not thought about the armed forces, but has spoken with Rowan County EMS Division. He commented policies, procedures, and protocol for suspected cases of COVID-19 are sound for their level of response, and he feels comfortable with current measures.

Mayor Pro Tem Heggins asked if Council should suspend Boards and Commission meetings until further notice or unless absolutely necessary. Councilmember Miller agreed. Mr. Bailey suggested a notice be sent to the Boards and Commissions to note that unless there is a legal requirement to meet meetings should be cancelled.

Mayor Pro Tem Heggins asked if action would be needed by Council to make it official. City Attorney Graham Corriher commented Council can take action to provide the directive to the Boards and Commissions, but he does not think it is needed.

Mayor Alexander noted she received a letter from Rowan-Salisbury Schools Director for Early Childhood Education that it has been asked how the City supports emergency services personnel in terms of childcare, and what protocol is in place. She noted people are afraid they will lose their jobs while at home caring for their children who are out of school. Fire Chief Parnell commented Mr. Bailey mentioned the possibility to staff assisting with plans to provide for childcare. He noted staff has been fortunate with internal parents and non-working spouses being available to provide daycare for other families.

Mr. Bailey stated he is looking into options for the City's critical staff in regards to child care, and if it is opened up to the public it could potentially becoming overwhelming and create issues. He added if a parent holds a critical position in the City and needs to bring the child to work, and the child would not be a disruption, the City is going to be flexible. He indicated discussions could take place on how it would work for the Fire Department due to the nature of the calls and having to leave the station. He pointed out the Parks and Recreation Department is on standby to create a daycare for critical staff during their shift.

Councilmember Sheffield asked about curbside pickup for downtown restaurants, and if cones can be supplied to the businesses. Mr. Bailey commented the City is currently doing that.

## **ANNOUNCEMENTS**

### **(a) Spring Clean 2020**

The Community Appearance Commission and the Salisbury Public Works Department will host "Spring Clean 2020" Saturday, March 21, 2020. Check in will be at City Hall located at 217 South Main Street from 8:00 a.m. until 12:00 p.m. For more information call Stephen Brown at 704-638-4481 or email [sbrow@salisburync.gov](mailto:sbrow@salisburync.gov).

### **(b) Ministers of Comedy**

The Dixonville-Lincoln Memorial Project Task Force will not host "Ministers of Comedy" Thursday, April 23, 2020 at the Salisbury Civic Center located at 315 Martin Luther King Jr Avenue South. Doors will open at 6:00 p.m. and the event will begin at 6:30 p.m. For more information call Alyssa Nelson at 704-638-5235. To purchase tickets call 704-252-1630 or 704-645-8710. This will be rescheduled.



## **COUNCIL COMMENTS**

Councilmember Miller encouraged community members to assist others especially those who are elderly or in need.

Councilmember Sheffield reviewed Council's Rules and Procedures passed in October 2018. She suggested several areas be reviewed again including emergency meetings, and how public comment would work. She indicated she is not comfortable discussing public input items without the public's input.

Councilmember Sheffield commented she attended the American Association of University Women Event prior to the Coronavirus pandemic. She noted the event was a 100-year celebration of women's suffrage for voting rights.

Councilmember Post stated the United Way is in need of resources, and he encouraged the public to help as much as possible.

Councilmember Post agreed there is a need to look into the technology aspect regarding public comment. He reviewed various options other cities have used in the past. He suggested allowing public comment once a month and at the end of the month.

Councilmember Post suggested Mr. Bailey ask if the state would defer the mandates on employee benefits until next year. Councilmember Miller suggested Mr. Bailey speak with other City managers. Mr. Bailey agreed.

## **MAYOR PRO TEM COMMENTS**

Mayor Pro Tem Heggins noted staff has done a great job operationally addressing the crisis. She thanked City Manager Lane Bailey, Assistant City Manager Zack Kyle, and Communications Director Linda McElroy for the great work they do for the City.


Mayor Pro Tem Heggins thanked Hotwire Communications for providing the free internet services for those families in need with K-12 students. She also thanked Council for passing the Ordinance to support the residents and their issues regarding water.

## **MAYOR'S COMMENTS**


Mayor Alexander thanked Council, City Manager Lane Bailey, Assistant City Manager Zack Kyle, Communications Director Linda McElroy, and staff for the work they do for the City, and for the ways they continue to handle the current situation. She also thanked Human Resources Director Ruth Kennerly for her assistance in translating announcements into Spanish.

**ADJOURNMENT**

Motion to adjourn the meeting was made by Councilmember Post. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 7:16 p.m.



Karen Alexander, Mayor



Tiffany Crook, Deputy City Clerk