

Salisbury, North Carolina
July 21, 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 Pro Tem Heggins noted Agenda Item 8: Council to consider banning the use of chemical agents by the Police Department will be postponed until August 4, 2020 to receive information from City Attorney Graham Corriher regarding the Attorney General's recommendations.

City Manager Lane Bailey stated an Ordinance amending Chapter 13, Article X, of the Code of the City of Salisbury related to parking will be added to the Consent Agenda as Item 6i to allow the conversion of two parking spaces adjacent to the Police Department to 30 minute parking.

ADOPTION OF THE AGENDA

Thereupon, Councilmember Sheffield 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 Alexander proclaimed the following observance:

INDEPENDENT RETAILER MONTH

July 2020

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

CONSENT AGENDA

(a) Minutes

Adopt Minutes of the Special and Regular meetings of June 16, 2020.

(b) Salisbury Police Department- Corporal Eric Stilwell Retirement

Award Corporal Eric Stilwell his sidearm and badge in recognition of his retirement from the Salisbury Police Department August 1, 2020.

(c) Ordinance Amendment – Housing Stabilization Funds

Adopt a Budget Ordinance amendment to the FY2020-2021 budget in the amount of \$129,252 to appropriate housing stabilization funds.

ORDINANCE AMENDING THE 2020-21 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE HOUSING STABILIZATION FUNDS.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 65, and is known as Ordinance 2020-39.)

(d) Installation of Directional Bore Duct- 210 East Innes Street

Approve the installation of directional bore duct within the City rights-of-way and public parking lot on North Lee Street to 210 East Innes Street to Spectrum subject to all conditions being met.

(e) Installation of Directional Bore Duct and Aerial Fiber Optic Cable- South Arlington Street

Approve the installation of directional bore duct and aerial fiber optic cable within the City and NCDOT rights-of-way on West Bank Street, East Monroe Street, Old Concord Road, and South Arlington Street subject to all conditions being met.

(f) Voluntary Annexation- Rowan Woodland Apartments, LLC

Receive a request for the voluntary annexation of Rowan Woodland Apartments, LLC and adopt a Resolution instructing the City Clerk to investigate the sufficiency of the request.

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31, FOR VOLUNTARY ANNEXATION OF 22.414 ACRES (ROWAN WOODLAND APARTMENTS, LLC), LOCATED OFF STATESVILLE BOULEVARD AND IDENTIFIED ON TAX MAP 330 PARCEL 151.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 31, and is known as Resolution 2020-18.)

(g) Purchase Contract- Tyler Technology, Inc.

Adopt a Resolution ratifying a sole source purchase contract with Tyler Technology, Inc. in the amount of \$117,965 for purchase of ExecuTime software and equipment.

RESOLUTION AUTHORIZING A SOLE SOURCE PURCHASE CONTRACT WITH TYLER TECHNOLOGY, INC. PURSUANT TO G.S. § 143-129.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 32, and is known as Resolution 2020-19.)

(h) August 4, 2020 City Council Meeting

Change the starting time of the August 4, 2020 Council meeting from 3:00 p.m. to 6:00 p.m.

(i) Ordinance Amendment – Parking Spaces

Adopt an Ordinance amending Chapter 13, Article X, of the code of the City of Salisbury related to parking to convert two parking spaces to 30 minute parking spaces.

ORDINANCE AMENDING CHAPTER 13, ARTICLE X, OF THE CODE OF THE CITY OF SALISBURY, NORTH CAROLINA, RELATED TO PARKING.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 66, and is known as Ordinance 2020-40.)

Councilmember Post stated traditionally a ceremony would take place for retiring police officers which is currently not possible. He indicated he would like to invite retirees back for recognition in the future.

Thereupon, Mayor Pro Tem Heggins made a **motion** to adopt the Consent 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)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comment and reminded everyone of the Rules of Procedure for public comment. She noted written comments will not be read aloud during the meeting but will be shared with Council and become public record.

Mr. Walter Vaughn stated he is not in favor of painting an Equity and Diversity Street Mural in downtown Salisbury.

Ms. Mandy Strickland stated she would like to have a love walk in downtown Salisbury to encourage togetherness and health on July 24, 2020 between 5:00 p.m. and 7:00 p.m.

Ms. Mary Walker indicated the Salisbury Police Department should exercise other means of crowd control instead of using tear gas because it is inhumane.

Ms. Nancy Vick stated there is not a great deal of racial injustice in downtown Salisbury.

Ms. Nancy Gaines noted the painting of an Equity and Diversity Street Mural in downtown Salisbury will not accomplish real change in a divided community.

Ms. Beth Foreman urged Council to continue to direct City staff to audit policies and procedures to remove discriminatory, unjust, and oppressive practices.

Ms. Nalini Joseph asked Council if the Equity and Diversity mural would be inclusive to all citizens in Salisbury or an advertisement for a specific group.

Ms. Carol Pomeroy stated tear gas is a dangerous chemical weapon that should not be used on citizens exercising their right to protest.

Ms. Emily Ford indicated she is in favor of creating a mural on a downtown street in Salisbury to celebrate equity, diversity, and inclusion.

Ms. MT Sidoli asked why tear gas was used against a group of peaceful citizens exercising their First Amendment right to protest.

Ms. Pam Bloom stated she is in favor of a mural that exemplifies the present time and conveys hope for the future of the community.

Ms. Andrea Cantrell urged Council to be mindful of which side of history it would like to be on when making decisions about diversity inclusion.

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

EQUITY AND DIVERSITY STREET MURAL

Mayor Pro Tem Heggins stated her original proposal included painting a Black Lives Matter street mural in downtown Salisbury, but after reflecting on the topic, the proposal was changed. She explained the point of the mural is to create a space for inclusion, sharing, and understanding to break down stereotypes and extend love throughout the City. She added an equity, diversity and inclusion mural will bring people together through a shared vision using the arts and will enliven City spaces. She mentioned the mural is in alignment with the City's efforts to strengthen infrastructure, drive public-led initiatives, and send a message that everyone belongs.

Mayor Pro Tem Heggins indicated the use of art is a positive way to bring the community together to create something beautiful for the City. She explained a mural will provide an opportunity for people from various neighborhoods to come together, get to know each other, and possibly develop long-term relationships. She stated there is underutilized asphalt that can be reclaimed and easily used to create art for the City. She added there is a sense of empowerment when communities are allowed to play a leadership role and create something special in their neighborhood.

Mayor Pro Tem Heggins stated she would like Salisbury to showcase its talented and diverse arts community. She explained a group of local artists could be tasked with bringing ideas, designs, and locations for the mural to Council for review and approval. She added the core group of designers should consist of visual artists from diverse backgrounds.

Mayor Pro Tem Heggins suggested the mural start small and eventually spread throughout the City. She explained the City could expand the mural in the future to include additional streets, bridges, and other spaces that can be improved. She added Salisbury has a strong tradition and human capital to support arts initiatives. She stated there is a beautiful mural downtown that speaks to a historical past and adding an equity, diversity, and inclusion mural will speak to the City's future.

Mayor Pro Tem Heggins explained place making is important to the function of a 21st Century municipality.

Mayor Alexander stated it will be appropriate for the local artists who are chosen for the project to work with the City's Public Art Committee.

Mayor Alexander indicated she has received comments from citizens who are in favor of street painting but are concerned about possible hazards it may cause. She explained rain may cause the paint to become slick and become dangerous for motorcycle drivers. She added instead of painting on the streets alternate areas may need to be identified.

Mayor Pro Tem Heggins stated many cities have used their streets to display murals. She added cities would not put the safety of their citizens at risk if the paintings presented a hazard.

Mayor Pro Tem Heggins agreed the Public Art Committee should have an opportunity to review final plans from local artists. She added the City has nothing to lose by allowing the group to bring their ideas to Council and hold conversations regarding aspects of the project including safety considerations, materials, and funding.

Councilmember Miller stated the Public Art Committee should be involved with every stage of the project. He indicated the project should go through a process where the committee will work with the artists and present recommendations to Council that coincide with the City's budget, goals and objectives. He added a mural installation expressing the idea that everyone is welcome is a great idea that should go through the appropriate process to be evaluated and approved.

Mayor Pro Tem Heggins indicated the Public Art Committee should have input during the project but because it is not diverse, ideas should come from local artists. She explained the committee should not have issues with a grassroots group of artists coming together to collaborate and present results to the committee. She added the collaboration will provide an opportunity for people who are not heard and who have never interfaced with government to be introduced to the collaborative process.

Councilmember Miller stated citizens who are passionate about art should be involved with the project along with members of the Public Art Committee. He indicated when everyone can participate, art can be used to bring a community together.

Mayor Pro Tem Heggins noted the project will not require a vote by Council until the artists are able to present their ideas to Council. She added she would like Council to move forward with the idea.

Councilmember Post stated a diverse group should collaborate to create the mural, and the project should go through the process the City has in place. He indicated he would like to see artwork in the windows of vacant buildings and in crosswalks which will not pose a hazard to motorists. He noted he would like to allow sufficient time to locate artists and separate the project from the original proposal which included a political context. He added art is a great way to beautify and brighten the City.

Mayor Pro Tem Heggins noted the project can help the City engage in healing and productive conversations. She added art can allow people to come together and view each other as human beings. She indicated she does not want to divert the process but does not want it to become a barrier for the project.

Councilmember Miller stated people involved in the project may be candidates who can add to the diversity of the Public Arts Committee. He indicated there are multiple ways of displaying art on private property but art that will give the community a greater benefit will need funding. He explained if the City is involved, the project will need to go through the process. He added the project is a great idea that should be explored.

Councilmember Sheffield indicated the mural located downtown is loved, and she would enjoy having other areas in the City contain artwork. She stated local artists should work with the Public Art Committee to create collaborative art as a way to bring people together and give unrecognized artists exposure. She added she supports displaying art where it can be enjoyed instead of on roadways.

Councilmember Sheffield stated the Public Art Committee is a subcommittee of the Community Appearance Commission and the members are not appointed by Council. She added Council should not impede the process of getting the mural started by waiting until there is a more diverse committee. She noted she is in favor of moving forward with the mural and discussing the details of it. She added Council should consider the Public Art Committee becoming a City Commission to help ensure diversity.

Mayor Alexander reviewed the members of the Public Art Committee. She stated most of them are members of the community that have been designated from colleges. She added the committee may have connections to grant opportunities that can be used to fund the mural. She indicated the artists should bring their ideas to the Public Art Committee, and the committee will present their recommendations to Council.

CITY ATTORNEY'S REPORT

City Attorney Graham Corriher had nothing to report to Council.

CITY MANAGER'S REPORT

(a) Bankett Station Extension

City Manager Lane Bailey stated there have been delays to the construction of Bankett Station because of soil compaction issues and COVID-19. He explained the delays have caused the deadline for the project to expire and the builders are requesting a 14-month extension on their incentive grant.

Thereupon, Councilmember Post made a **motion** to approve a 14-month extension on the Bankett Station incentive grant. 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)

(b) Sales Tax Report

Finance Director Shannon Moore stated the sales tax collection information for April 2020 was received on July 15, 2020. She indicated the information is from sales that took place in April when the Governor's Stay-At-Home Order was put into effect. She added the amount was \$660,000 which is 6.2% lower than the amount received last year, and 12.6% lower than the previous month's collection for March 2020.

Ms. Moore indicated the City's tax collection percentage is not as low as the percentages throughout the state compared to what larger communities have experienced. She explained the preliminary sales tax projections given to Council in March 2020 and April 2020 was \$549,000 which is approximately \$100,000 less than the actual amount received. Mr. Bailey noted information on sales tax trends will be provided to Council as it becomes available.

(c) Utility Shut-Offs

Finance Director Shannon Moore pointed out prior to the Governor's Executive Order to suspend disconnections due to non-payment Council adopted a local Ordinance with the same directive. She explained the City has not disconnected utility services for residential or commercial customers since March 2020 and there is an unpaid balance of approximately \$393,000. She stated staff has been working on collection notifications for non-residential accounts and was able to recover approximately \$20,000 over the past month.

Ms. Moore indicated the Executive Order will expire July 29, 2020, and the City will need to set an expiration date for the local Ordinance that was adopted. She explained the number of delinquent accounts has grown to 880 accounts, most of which are residential. She added the longer the Ordinance is in place the more unmanageable the debt will become for customers.

Councilmember Sheffield asked if financial hardship inquiries were being evaluated to qualify for the payment suspension or if everyone who requested it was eligible. Mr. Bailey stated everyone can participate which could have the unintended consequence of creating a large amount of debt.

Councilmember Miller asked why citizens do not have to show proof of income and stability. Ms. Moore stated all citizens were protected by the Governor's Executive Order.

Councilmember Sheffield asked if a plan is for citizens who have accumulated large amounts of debt. She stated residents should not be required to pay a large bill in a single transaction and should be given the option to pay the debt over time. Mr. Bailey stated the Executive Order states customers will not be charged interest or penalties and will be allowed to pay the debt over six months at the least. He added staff works well with customers to set up

payment plans to help people pay their debts. Ms. Moore indicated staff is following the Local Government Commission (LGC) and UNC School of Government guidelines on how to implement the repayment program.

Councilmember Post pointed out residents who are receiving government assistance should be given extra time to pay the debt to allow them to keep their Section 8 vouchers.

Councilmember Miller requested staff bring recommendations to Council regarding plans that may help citizens repay their debt. He asked if there are funds that can be allocated to assist with the debt.

Councilmember Post stated he would like for Council to make the decision to rescind the Ordinance at the next Council meeting after the Governor's Executive Order has expired. Upon consensus Council agreed.

Mr. Bailey indicated staff is committed to working with customers and non-profit organizations to assist with getting the debts paid. He pointed out people in the community can donate to United Way and other organizations who are able to assist with utility bills. He stated he will bring recommendations to Council at its next meeting.

ANNOUNCEMENTS

Mayor Alexander had no announcements.

COUNCIL COMMENTS

Councilmember Sheffield thanked staff for taking action to help reduce citizen cost burdens once the Executive Order preventing the disconnection of utility services for nonpayment is rescinded.

Councilmember Post thanked City staff for working well throughout the pandemic. He indicated he will have conversations with several organizations regarding crowd sourcing and creating a Kiva platform for Salisbury to provide financing for small businesses. He noted there may be a large number of evictions once the courts reopened and he would like to identify ways to help individuals who will need assistance.

Councilmember Miller expressed his concern regarding foreclosure mitigation efforts. He noted tasks were carried out during the great depression that may help today.

MAYOR PRO TEM COMMENTS

Mayor Pro Tem Heggins indicated the City should look to other communities who are having success with housing and tenant issues surrounding COVID-19. She thanked staff for its phenomenal work during the pandemic.

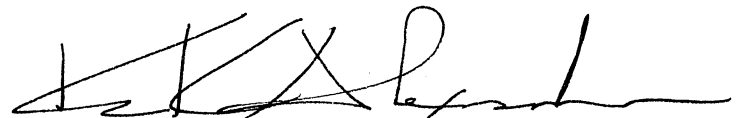
MAYOR'S COMMENTS

Mayor Alexander pointed out the Salisbury Community Development Corporation (CDC) closed on a home for a citizen who lost her job but is now moved into a new home with her four daughters. She stated she is proud of the organization and thanked them for helping members of the community.

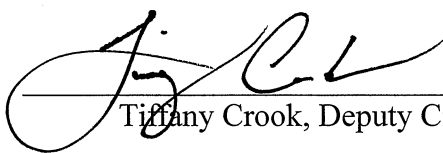
Mayor Alexander thanked City staff, contractors, and all others who helped with the Fame relocation project. She added completing the project may take several months as the required paperwork for the new location is processed.

ADJOURNMENT

Motion to adjourn the meeting was made by Mayor Pro Tem Heggins. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 8:36 p.m.



Karen Alexander, Mayor



Tiffany Crook, Deputy City Clerk