

Salisbury, North Carolina  
March 5, 2024

## **REGULAR MEETING**

**PRESENT:** Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; Deputy City Manager Richard White, City Clerk Connie B. Snyder; and City Attorney J. Graham Corriher.

**ABSENT:** City Manager Jim Greene, Jr.

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 6:08 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.

## **ADOPTION OF THE AGENDA**

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

## **RECOGNITION – STATE DELEGATION**

Mayor Alexander and Council recognized Senator Carl Ford and Representative Harry Warren for their assistance in Salisbury's receipt of a \$10 million state grant to support public safety initiatives. Mayor Alexander presented Senator Ford and Representative Warren with a Key to the City, and she thanked them for all they do to support the City and the state. She pointed

out the grant is transformative and will allow the City to replace a fire station that is sinking, complete the downtown fire loop and help to protect the City's first responders.

Senator Ford and Representative Warren thanked Council for the Key to the City and for the recognition.

### **RECONGTION – RUTH KENNERLY AND PATRICK SMITH**

Deputy City Manager Richard White recognized Human Resources Director Ruth Kennerly and Police Chief Patrick Smith for obtaining their Master degrees. He stated Ms. Kennerly obtained her Master Degree in Business Administration with a concentration in Management from the University of North Carolina at Charlotte, and he added Chief Smith obtained his Master Degree in the Science of Leadership with a concentration in Human Resource Management from Pfeiffer University. Council thanked Ms. Kennerly and Chief Smith for their work to obtain their Master degrees and for their service to the City.

### **PROCLAMATIONS**

Mayor to proclaim the following observances:

WOMEN'S HISTORY MONTH  
WOMEN IN CONSTRUCTION WEEK

March 2024  
March 3-9, 2024

### **CONSENT AGENDA**

(a) Minutes

Approve Minutes of the special meeting of February 6, 2024 and the regular meeting of February 20, 2024.

(b) Right-of-Way Encroachment – AT&T

Approve a right-of-way encroachment for the installation of underground fiber optic cable by AT&T within the rights-of-way of Old Mocksville Road per Section 11-24(27) of the City Code and subject to North Carolina Department of Transportation approval.

(c) Agreement – CDM Smith, Inc.

Authorize the City Manager to execute an agreement with CDM Smith, Inc. in the amount of \$527,435 for engineering services associated with the Wastewater Facilities Master Plan and adopt a budget Ordinance amendment to the FY2023-2024 budget in the amount of \$400,000 to appropriate grant funding from the North Carolina Department of Environmental Quality to be used for pre-construction planning associated with the plan.

ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE A GRANT FROM NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY

(The above Ordinance is recorded in full in Ordinance Book No. 32 at Page No. 29, and is known as Ordinance 2024-16.)

(d) Purchase Order Approval

Authorize the City Manager to approve Purchase Order 240861 in the amount of \$260,603.38 for the purchase of a new TL-3 Petersen limb truck from Amick Equipment Co, Inc. for the Public Works Department.

(e) Contract – McAdams Engineering

Authorize the City Manager to enter into a contract with McAdams Engineering in the amount of \$72,750 to complete the design of stormwater drainage improvements for South Sunset Drive.

(f) Property Access Consent Form

Authorize the City Manager to sign a Property Access Consent form to permit the North Carolina Department of Environmental Quality’s contractor to access City property.

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

**PUBLIC COMMENT**

Mayor Alexander opened the floor to receive public comments.

Ms. Dee Dee Wright thanked the Salisbury Fire Department for its work putting out a fire at a neighboring residence, and she requested a salary increase for the Fire Department.

Mr. Geoffrey Hoy expressed concerns regarding public education and teacher salaries.

There being no one else to address Council, Mayor Alexander closed the public comment session.

**CITY OF SALISBURY STRATEGIC PLAN**

Administrative Services Director Kelly Baker asked Council to consider adopting the City of Salisbury’s Strategic Plan. She thanked City Manager Jim Greene for his leadership and

guidance. She thanked Budget Manager Tracey Keyes for serving as the project lead, and members of Management Team and Across-departmental Lead Team for their work on the plan. She thanked Council for its support of the plan and feedback that was used to develop the plan.

Ms. Baker noted the Strategic Plan covers three to five years and will be foundational for future budget and determining how time and resources are allocated. She stated the Strategic Plan process began in September 2023 with a kick-off event. She added once the consultants were hired a focus group was held for Board and Commission Chairs, an employee survey was conducted, and the consultant met with members of the Management Team and Across-departmental Lead Team.

Ms. Baker stated the consultants held individual interviews with Council and in October 2023 Council held its first workshop where it received the results from focus group meetings and employee surveys which helped Council determine the focus areas for the plan. She added in November the focus areas were refined and then presented to Council at a Strategy Workshop in January 2024.

Ms. Baker stated the key focus areas identified by Council are Healthy, Safe, and Engaged Neighborhoods, Economic and Workforce Development, Public Safety, Organizational Excellence, Sustainable Infrastructure, and Cultural Amenities. She reviewed changes made to the plan, and she noted the final vision statement: “The City of Salisbury is a welcoming and forward-thinking community, inclusive for all generations, aspiring to offer a vibrant economy, high quality of life, and greater opportunities for everyone.”

Ms. Baker commented specific project names were removed from the Strategic Plan’s Healthy, Safe, and Engaged Neighborhoods. She explained staff found it beneficial to capture a theme for the strategy instead of including specific projects, which provides flexibility over the life of the plan. She referenced the Economic and Workforce Development Strategy and stated due to conversations with the Rowan Economic Development Council (EDC) a strategy to perform a market analysis was removed from the plan.

Ms. Baker noted park and recreation programming to support youth safety and crime reduction initiatives strategy was added under Public Safety based on a top Council priority. She indicated changes to Sustainable Infrastructure included a rewording to better address cyber security as part of supportive information technology.

Ms. Baker referenced changes to Cultural Amenities, including no longer identifying specific partners which broadens the City’s ability to work with additional partners. She added Organizational Excellence had no changes, and she reviewed the Organizational Mission and Values, which were based on employee surveys and discussions among staff, including the Employee Advisory Committee. She stated the organizational values identified to best reflect the organization are collaboration, compassion, fairness, equity, innovation, sustainability, and integrity.

Council thanked Ms. Baker and staff for its work on the Strategic Plan which will serve as a roadmap to help prioritize goals and initiatives.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt the City of Salisbury Strategic Plan. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

## **2025 DOWNTOWN SALISBURY MASTER PLAN**

Downtown Development Director Sada Troutman asked Council to consider approving the 2025 Downtown Salisbury Master Plan which is built on previous plans to assess strengths and opportunities for the community, to manage public and private infrastructure improvement, development, and business recruitment. She noted staff will distribute the plan as a poster-sized document and it will be available online.

Ms. Troutman noted the plan will be used by Downtown Salisbury, Inc. (DSI) and Downtown Development as a guiding document for planning and growth. She stated that the 2025 Downtown Salisbury Master Plan includes strategies, goals, demographics, a market analysis, an interactive map, and contact information. She noted the strategies and goals include a place to experience history, a place to learn and to experience the arts, a place of business, a place to shop, dine and play, a place to live and a place to gather as a community.

Ms. Troutman stated in 2022 North Carolina Main Street completed a market analysis for DSI, which was shared with Council. She explained the analysis orients Salisbury within the market and reviews retail opportunities, bike-ability, walkability, and target demographics.

Ms. Troutman displayed the map included in the Master Plan, and she pointed out increased parking options and potential infill on underutilized lots. She also noted continued development in coordination with community partners to create increased opportunities for walkability.

Ms. Troutman stated the Downtown Salisbury Master Plan has been approved by the DSI Board of Directors. She thanked the DSI Design Committee, including past Chair Davis Cooke and current Chair Bob Potter, who helped lead the project. She also thanked Urban Design Planner Alyssa Nelson and Web and Marketing Service Coordinator Fern Blair who worked on the plan.

Mayor Pro Tem Sheffield thanked Ms. Troutman for her leadership on the project which will promote growth in the downtown.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to approve the 2020 Downtown Salisbury Master Plan. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

## **DOWNTOWN MUNICIPAL SERVICE DISTRICT – COMMUNITY AND ECONOMIC DEVELOPMENT PROJECT AREA**

City Attorney Graham Corriher requested Council consider designating the Downtown Municipal Service District (MSD) as a Community and Economic Development Project Area. He stated the designation would provide Council a tool to use in conjunction with the Downtown Salisbury Master Plan, the Forward 2040 Comprehensive Plan and the Strategic Plan.

Mr. Corriher explained state law governs the sale of City-owned real property such as land and buildings, and he reviewed state procedures regarding the sale of City-owned real property:

- Public auction as allowed by NCGS 160A-270
- Sealed bid as allowed by NCGS 160A-268
- Upset bid as allowed by NCGS 160A-269
- For artistic, historic, scenic purposes to a nonprofit as allowed by NCGS 160A-266
- Subject to limitations:
  - For affordable housing as allowed by NCGS 160A-279
  - For economic development projects as allowed by NCGS 158-7.1
  - For community development projects as allowed by NCGS 160A-457

Mr. Corriher stated Council has local authority, and he explained in 2000 the General Assembly adopted a state law that gave Salisbury the authority to engage in the public or private sale of real property in designated areas. He commented Council must designate the area which provides flexibility to meet goals that are not met by State Statutes. He indicated public auction and sealed and upset bids are designed to get the most money from the sale of City-owned property, but Council does not have control over what happens to the property once it is sold. He added if Council has goals other than obtaining the highest selling price its options are limited without the local authority included in the City's Charter:

- City Charter Section 9.1 equivalent of state law authorizes public or private sale of City-owned real property within a designated Community and Economic Development Project Area
- Designating the area does not sell property
- Still subject to state constitutional requirements
  - Public benefit must outweigh the private benefit
- All sales are subject to a 10-day public notice and final approval by Council in open session
- No effect on private property within the Community and Economic Development Project Area
- Staff recommends designating the MSD as a Community and Economic Development Project Area

Mr. Corriher explained the first step is to designate the area and if after the designation Council decides to sell a piece of property within the project area a public notice would be required and Council would adopt a Resolution to approve the sale. He reviewed a map of the MSD, and he pointed out City-owned property within its boundaries.

Councilmember Post requested clarification regarding the 10-day public notice. Mr. Corriher explained the 10-day public notice is the minimum required by the City Charter, and he added Council can hold a public hearing or provide a longer notice at its discretion.

Mayor Pro Tem Sheffield noted the proposal is forward thinking and there is a concentration of City-owned properties in the MSD. She added the proposal will help Council ensure it can sell a property for the right reasons.

Councilmember Post indicated he will vote against the proposal due to the lack of a public hearing component. Councilmember Smith stated Council has the option to hold a public hearing.

Thereupon, Mayor Pro Tem Sheffield made a **motion** to designate the Downtown Municipal Services District as a Community and Economic Development Project Area pursuant to Section 9.1 of the Salisbury City Charter. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin and Smith voted AYE. Councilmember Post voted NAY. (4-1)

## **PANHANDLING**

City Attorney Graham Corriher addressed Council regarding the second reading of an Ordinance amending various sections of the Code of Ordinances related to panhandling. He explained since the proposed Ordinance has criminal penalties it requires a second vote.

Mr. Corriher noted a change to the proposed Ordinance that will place aggressive panhandling in Chapter 15 instead of Chapter 22. He explained the substance of the proposed Ordinance did not change, and he stated if approved the streets and sidewalks sections of the Ordinance will be in Chapter 22 and aggressive panhandling regulations will be in Chapter 15. He noted the proposed Ordinance will replace the City's prior Ordinance regarding soliciting alms.

Thereupon, Councilmember Post made a **motion** to adopt an Ordinance amending Chapter 22, Article I, and Chapter 15-13 of the Code of the City of Salisbury. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

ORDINANCE AMENDING CHAPTER 22, ARTICLE I, OF THE CODE OF THE CITY OF SALISBURY, RELATING TO STREETS AND SIDEWALKS.

(The above Ordinance is recorded in full in Ordinance Book No. 32 at Page No. 30-32, and is known as Ordinance 2024-17.)

## **CONTRACT AMENDMENT – BLACK & VEATCH INTERNATIONAL**

Salisbury-Rowan Utilities (SRU) Director Jim Behmer provided an update on the Yadkin River Water Supply Resiliency Project. He pointed out the location of the existing river pump station and two river intakes, and he noted the goal of the project is to move this infrastructure 2,100 feet downstream to higher ground that is less likely to flood and will provide continuous access. He reviewed the Yadkin River Water Supply Resiliency Project:

- The City is a finalist and should receive a \$22.5 million 2021 BRIC (Building Resilient Infrastructure and Communities) Grant from the Federal Emergency Management Agency (FEMA)
- \$9 million local match from Cube Hydro Generation LLC to contribute to the project
- Final Draft Environmental Assessment being reviewed by FEMA before being put out for public comment
- Three years to complete the project after receipt of federal award anticipated May 2024
- Project completion in 2027

Mr. Behmer stated Black & Veatch International has completed 60% of the design which was a \$2.9 million contract approved by Council in 2023. He indicated the North Carolina Emergency Management Commission Water Quality Committee will consider the proposed watershed boundaries on May 8, 2024 and begin the review process. He presented the timeline of the project, and he asked Council to consider a contract amendment with Black & Veatch International in an amount not to exceed \$1.358 million for the continuation of the design environmental permitting for the relocation of the Yakin River Raw Water Pump Station.

Mayor Pro Tem Sheffield asked how many people are reliant on the Yakin River Raw Water Pump Station. Mr. Behmer stated the station services 53,000 people. He recognized the legislative support that has helped with the project including Resolutions of Support from Rowan, Davidson and Davie Counties. Mayor Pro Tem Sheffield stated this project is bigger than the City.

Thereupon, Councilmember Smith made a **motion** to approve a contract amendment with Black & Veatch International in an amount not to exceed \$1,358,000 for the construction of detailed design to completion and environmental permitting for the relocation of the Yadkin River Raw Water Pump Station. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

### **UPDATE – FIRE STATION 3**

Public Works Director Chris Tester, Fire Chief Bob Parnell and Architect Bill Burgin provided an update of Fire Station 3. Mr. Tester noted Council awarded the construction contract to KMD Construction on June 20, 2023 and a ground breaking was held on August 13, 2023. He stated Fire Station 3 will be 19,000 square feet and will include three bays and a Fire Safety Education Center for community outreach.

Chief Parnell reviewed an artist’s rendering of the project, and he pointed out the location of the City’s Emergency Operation Center, Public Outreach Center and Public Education Fire Safety Education Center. He stated the fire station will house the Fire Marshal's office, Assistant Fire Marshal, three Fire Inspectors/Life Safety Educators, and the City’s Telecom Division. He added the fire station will include quarters for 10 staff, a dayroom and training area and will include:

- Fire Engine Company # 3



- Ladder Truck # 3
- Fire Scene Investigation Lab Trailer
- Emergency Field Communications Truck
- Firefighter gear and decontamination equipment
- Fitness room
- Storage mezzanine
- Breathing compressor refill room

Chief Parnell introduced Mr. Tom Couch from KMD Construction. Mr. Burgin reviewed the progress taking place, and he pointed out the back wall is complete and work has begun on the footings. He noted the sediment basin is large enough for the fire station and the property to the right as required by the purchase agreement. He pointed out construction may be behind due to the rainy winter weather and site challenges. Mr. Couch noted KMD Construction is working to complete the project by the anticipated completion date. He added the footings should be in place by the end of March and then visible progress will take place.

Mayor Alexander asked if the majority of subcontractors are local. Mr. Couch agreed. Council thanked Mr. Burgin, Mr. Couch, Mr. Tester and Chief Parnell for the update.

## **BOARDS AND COMMISSIONS**

### Human Relations Commission

Upon a motion by Councilmember Smith with Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointments were made to the Human Relations Commission:

Mr. Matthew Beaver	Term Expires 3/31/2027
Mr. Edward Brown	Term Expires 3/31/2027
Mr. Jonathan Handy	Term Expires 3/31/2027
Ms. Shanikka Gadson Harris	Term Expires 3/31/2027

Upon a motion by Councilmember Smith with Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment were made to the Human Relations Commission to fill an unexpired term:

Ms. Susannah McNeil	Term Expires 3/31/2026
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### Community Appearance Commission

Upon a motion by Mayor Pro Tem Sheffield with Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following reappointment was made to the Community Appearance Commission:

Ms. Kelly Vanager	Term Expires 3/31/2027
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Upon a motion by Mayor Pro Tem Sheffield with Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointments were made to the Community Appearance Commission:

Ms. Jennifer Baldi	Term Expires 3/31/2027
Ms. Krystal Biskner	Term Expires 3/31/2027
Ms. Linda Moser	Term Expires 3/31/2027
Ms. Beth Ruthledge	Term Expires 3/31/2027

Upon a motion by Mayor Pro Tem Sheffield with Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointments were made to the Community Appearance Commission to fill an unexpired term:

Ms. Rebecca Wells	Term Expires 3/31/2026
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#### Housing Advocacy Commission

Upon a motion by Councilmember Post with Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment was made to the Housing Advocacy Commission to fill an unexpired term:

Ms. Annie Boone-Carroll	Term Expires 3/31/2025
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#### Tree Board

Upon a motion by Councilmember McLaughlin with Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following reappointment was made to the Tree Board:

Ms. Melissa Shaver	Term Expires 3/31/2027
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#### Historic Preservation Commission:

Upon a motion by Councilmember Post with Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointments were made to the Historic Preservation Commission:

Mr. Michael Kepley	Term Expires 3/31/2027
Ms. Ephrum Schwartz-Laubhann	Term Expires 3/31/2027

### **DEPUTY CITY MANAGER'S COMMENTS**

Deputy City Manager Richard White noted staff will provide information within the next two weeks regarding where to pick up the panhandling signs.

## COUNCIL COMMENTS

Councilmember McLaughlin noted the Panhandling Ordinance is to not discourage the kindness and generosity of people in Salisbury, or to discourage those panhandling, but to ensure public safety.

Councilmember McLaughlin pointed out the West End Byrne Criminal Justice Innovation (BCJI) Program grant applications have been reviewed three times. He noted 42 applications will go through one more review process and individuals will then be selected to receive the grants. Mayor Alexander thanked everyone who is involved in the grant process.

## MAYOR PRO TEM'S COMMENTS

Mayor Pro Tem Sheffield stated it was her honor and duty to vote as every election is important. She thanked the poll workers and volunteers who give of their time to support the election.

## MAYOR'S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander thanked Council and staff for its great work it does for the City. She thanked Deputy City Manager Richard White for his presence at the meeting.


## ADJOURNMENT

Motion to adjourn the meeting was made by Mayor Pro Tem Sheffield. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 7:58 p.m.



Karen Alexander, Mayor



Connie B. Snyder, City Clerk