

RECESSED MEETING OF APRIL 3, 2007

Continued
April 9, 2007
4:00 p.m.

The City Council of the City of Salisbury met at 4:00 p.m. Monday, April 9, 2007 in Council Chambers at City Hall pursuant to the recess of the regular meeting of April 3, 2007, with the following members being present and absent:

PRESENT: Mayor Susan W. Kluttz, Presiding; Mayor Pro Tem, Paul B. Woodson, Jr.; Councilmen William (Bill) Burgin and William (Pete) Kennedy; City Manager, David W. Treme; City Attorney, F. Rivers Lawther, Jr.; and City Clerk, Myra B. Heard.

ABSENT: Councilman Mark N. Lewis

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by City Manager David Treme.

PUBLIC HEARING - POSSIBLE ANNEXATION OF AREA 1- CAMP ROAD; AREA 2 - HARRISON ROAD; AREA 3 - HAWKINSTOWN ROAD; AND AREA 4 - OLD MOCKSVILLE ROAD:

Mr. Joe Morris, Planning and Community Development Manager, reviewed the annexation schedule with Council. He noted that Resolutions of Consideration were adopted December 19, 2006 and Resolutions of Intent on February 6, 2007. The Annexation Report for each area was adopted February 20, 2007 and a Public Informational Meeting was held March 26, 2007. He indicated that after Council conducts a public hearing today, if it chooses to proceed with the annexation it can adopt Annexation Ordinances on April 20, 2007 and the annexation will be effective June 30, 2007.

City Clerk Myra Heard read the following statement into the record, "I, Myra B. Heard, City Clerk for the City of Salisbury, do hereby certify that, to the best of my knowledge, first-class mail notices were sent in accordance with North Carolina General Statute 160A-49(b) to the owners of all properties that were included in the Resolutions of Intent adopted by the Salisbury City Council February 6, 2007. The proposed annexation areas include: Area 1 – Camp Road Area; Area 2 – Harrison Road Area; Area 3 – Hawkinstown Road Area; and Area 4 – Old Mocksville Road Area. Notices were mailed February 23, 2007.

I also certify that, to the best of my knowledge, first-class mail notices were sent in accordance with North Carolina General Statute 160A-47 to Locke Volunteer Fire Department and Ellis Volunteer Fire Department, the volunteer fire departments currently providing fire protection service to those areas identified in the Resolutions of Intent adopted by the Salisbury City Council February 6, 2007. Notices were mailed February 23, 2007.

I further certify that, to the best of my knowledge, first-class mail notices were sent in accordance with North Carolina General Statute 160A-47 to the owners of all waste collection services who operate within those areas identified in the Resolutions of Intent adopted by the Salisbury City Council February 6, 2007. Notices were mailed February 23, 2007."

Mr. Bill Duston, Centralina Council of Governments, reviewed the Annexation Reports for Area 1 – Camp Road Area; Area 2 – Harrison Road Area; Area 3 – Hawkinstown Road Area; and Area 4 – Old Mocksville Road Area as made a part of the official Minutes of the February 20, 2007 Council meeting. He noted that the reports are the same reports that were presented and available at the Public Informational Meeting. He explained how each area was qualified for the annexation and the proposed cost and revenues associated with each area.

Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, for the possible annexation of Area 1 – Camp Road Area; Area 2 – Harrison Road Area; Area 3 – Hawkinstown Road Area; and Area 4 – Old Mocksville Road Area.

Those who addressed Council were:

Mr. Robert Carpenter, 1385 Harrison Road, stated that his property is in the annexation area and asked that it be excluded from the annexation. He indicated that he bought the property to use it as a farm and is in the process of purchasing more property to make his tract larger. He asked for his property to be excluded from the annexation if possible.

Mr. June Goodman stated that he gave his son a tract of land at the end of Sidney Drive and it is a farm and he does not understand why the City would want to annex a farm. He requested Council remove this area from the annexation. Mr. Goodman commented that he has been annexed three (3) times in his lifetime.

Mr. Charles Black, Westwood subdivision, indicated he had questions about the services that the annexed area will receive and asked if the City will make people live by the rules. He commented that the County does not make people live by the rules. He asked if the area will have law enforcement because he never sees Sheriff's Deputies from the County. He asked if the residents will receive services for their money. Mr. Black noted that some of the roads in the City are in bad shape and asked if the roads in his subdivision would be paved.

Mr. David Hawkins, 1368 Steven Drive, stated that he has lived in this area for three (3) years and the City installed water and sewer lines three (3) years ago and still has not patched the area. He stated he felt that Council should make the developer of the subdivision install the street signs and repair the streets.

Mr. Tommy Cline stated that he is in Area 2, the Westwood subdivision and he is concerned about being annexed into the City. He stated that he is against the annexation because he does not see any improvement to the residents' current lifestyle. He commented that they already have police service when needed and garbage service and he does not see an advantage to the annexation.

Mr. Wayne Saleeby, 1622 Old Mocksville Road, stated that it has been reported that the total cost for the entire annexation is around \$3 to \$5 million and he questioned if this investment is worth the return that will be gained for the annexation. He asked if the tax revenue received will pay for the debt that will be incurred. Mr. Saleeby indicated that Council has formed committees in the past who have made suggestions on certain issues but they have not considered the total picture. He noted that he is concerned about fire service and that he has to rely on volunteer firefighters for protection. He asked Council if the money they will spend will generate a return they would want and added that he feels this will be a bad decision, Mr. Saleeby concluded by stating that sometimes he feels the pie becomes too large for government to operate efficiently.

Mr. Steve Hand, 1285 Sidney Drive, asked Council if it will be able to recoup its costs if the residents in the annexation area decide not to use the water and sewer service. He commented that he just installed a new well and it might be worthwhile to determine how many residents will want the services.

Ms. Brenda Everette, 165 Imperial Drive, stated that there are many foreclosures in her neighborhood and wondered if the amount they will now have to pay will cause others to go into foreclosure. She noted that she has heard conflicting amounts of what the residents will have to pay to hook onto the water and sewer and added that she also heard that if residents did not hook onto the waterlines their wells would be condemned. She added that there are many people in this area who cannot afford this.

Mr. Black addressed Council again and noted that residents were told it would cost \$1,500 to \$1,600 to connect to water and sewer but they could get a seventy-five (75) percent discount if they connected within the first six (6) months. He noted that after six months residents will have to pay full price and questioned if people who do not hook onto the water and sewer lines and the City condemns their wells will have to pay full price.

Mr. Mike Greer, 1475 Harrison Road, asked Council to drive through the proposed areas for annexation before deciding if people who live there can afford a \$90 a month increase in their taxes.

Mr. Edward Hardy, 145 Celtic Circle, stated that he cannot afford the cost to tap onto the water and sewer because he lives on a fixed income. He stated that the only way he can survive is if the City finances the connection.

Ms. Jean Miller, 2012 Old Mocksville Road, indicated that she just found out that water and sewer lines have been in place for years along Old Mocksville Road. She asked if residents are given a seventy-five (75) percent discount for new lines will the same discount apply for the lines that have been in place along Old Mocksville Road.

Mr. Carpenter addressed Council again and indicated that when he purchased his property it was outside of City limits and asked if the zoning will change if the property is annexed. He stated that he is an avid hunter and questioned if he will still be able to sight his guns or build bonfires if the zoning is changed.

Mayor Kluttz read a letter she received from Mr. David Wood who owns one hundred (100) lots in the area. He stated that he is not opposed to the annexation but is concerned about street lights in the annexed areas. Mr. Wood stated that when he develops property and requests it be annexed he is required to have streetlights installed. He stated that the annexation will encompass seven hundred thirty-three (733) people and there is only one (1) streetlight. Mr. Wood feels that if the City annexes these areas it should immediately install street lights. He noted that he was told that the areas could petition to have streetlights installed but would be placed on a waiting list and he does not feel this is fair.

There being no one else to address Council, Mayor Kluttz closed the public hearing.

Mayor Kluttz announced that staff will address the questions raised during the public hearing and will provide answers to Council before a decision is made.

OTHER MATTERS

City Manager David Treme indicated that a request has been received for a temporary street closing and recognized Deputy Police Chief Steve Whitley.

Deputy Chief Whitley informed Council that the movie "Leatherheads" is being filmed at the Salisbury Depot and F&M Bank has offered the use of the Trolley Barn as a staging area. F&M has requested that the 100 block of East Liberty Street from the Waterworks Visual Arts Center to the intersection of Lee Street and Liberty Street be closed from April 11 – 14, 2007 for pedestrian safety.

Deputy Chief Whitley indicated that the Police Department will set up a barricade and will monitor the traffic for the days requested.

Thereupon, Mr. Burgin made a **motion** to allow for the closure of the street as presented for April 11 – 14. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Woodson, and Ms. Kluttz voted AYE. (4-0)

