

Salisbury, North Carolina
May 16, 2023

REGULAR MEETING

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

ABSENT: None.

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 6:07 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, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

WELCOME – LAND AND DEVELOPMENT SERVICES DIRECTOR PHILLIP LOOKADOO

City Manager Jim Greene welcomed Land and Development Services Director Phillip Lookadoo to the City. He noted Mr. Lookadoo has over 20 years of experience in land and development services as well as downtown and economic development. He added Mr. Lookadoo will work closely with the development community and focus on quality growth.

Mr. Lookadoo stated he is excited to lead the Land and Development Services Department, meet with people around the City, and become familiar with the public.

Council welcomed Mr. Lookadoo to the City.

RECOGNITION – DOWNTOWN SALISBURY, INC.

Downtown Development Director Sada Troutman recognized Downtown Salisbury Inc. (DSI) for its designation as an accredited Main Street America program. She explained to qualify for accreditation status, communities must meet a set of standards, including a commitment to building grassroots revitalization programs, fostering strong public and private partnerships, nurturing economic opportunities for small businesses and entrepreneurs, and actively preserving historic places, spaces and cultural assets.

Ms. Troutman added in the past year over 42 completed building and property improvement projects and over \$31 million in public and private investment for physical improvements have taken place in the downtown. She noted the building vacancy rate is below 10%, and a \$25,000 grant program for small businesses in the Municipal Service District (MSD) was created. She commented 50 full-time and 24 part-time jobs were gained, and a net gain of 13 businesses opened.

Ms. Troutman thanked downtown community boards, Council, staff, and downtown stakeholders and community partners for their support. She recognized DSI employees Latoya Price and Mel Drye for their dedication to the downtown and all they do for the City.

Council congratulated DSI for its accomplishments.

RECOGNITION – CITY ATTORNEY GRAHAM CORRIHER

Former City Manager Lane Bailey recognized City Attorney Graham Corriher for completing the American Leadership Forum and presented him a framed copy of his diploma. Council congratulated Mr. Corriher for completion of the program and thanked him for all he does for the City.

PROCLAMATIONS

Mayor to proclaim the following observances:

NATIONAL POLICE WEEK AND PEACE OFFICERS' MEMORIAL DAY	May 14-20, 2023
NATIONAL PUBLIC WORKS WEEK	May 21-27, 2023
MEMORIAL DAY	May 29, 2023

CONSENT AGENDA

(a) Minutes

Approve Minutes of the special meeting of November 1, 2022 and the regular meeting of May 2, 2023.

(b) Budget Ordinance Amendment – Parks and Recreation

Adopt a budget Ordinance amendment to the FY2022-2023 budget in the amount of \$6,500 to appropriate donations and sponsorships related to the Parks and Recreation Summer Camp and the Bell Tower Green Movie/Concert Series.

ORDINANCE AMENDING THE 2022-2023 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE PARKS AND RECREATION DONATIONS.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 114, and is known as Ordinance 2023-30.)

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

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

Ms. Dee Dee Wright noted she spoke with Public Works Director Chris Tester regarding her concerns about the backyard pickup program and had no further concerns.

Ms. Yolanda Ellis requested increased police officer presence near 416 Messner Street due to criminal activity taking place.

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

LAND DEVELOPMENT ORDINANCE TEXT AMENDMENT – CHAPTERS 4, 5, 7, 8, 10, AND 18

Senior Planner Victoria Bailiff asked Council to consider a text amendment to the Land Development Ordinance (LDO) to amend chapters 4, 5, 7, 8, 10, and 18 to include changes to requirements for right-of-way improvements, dimensional standards for townhomes, street tree requirements, parking requirements and terminology changes. Ms. Bailiff noted the proposed

text amendment is a result of issues that emerged during residential development reviews. She added there is not enough room in the right-of-way for all of the required improvements in subdivisions. She reviewed a subdivision where most of the townhome lots are 20 feet wide, and she noted items that will have to fit into the right-of-way or driveway include light poles, hydrants, utility services, street trees and Stormwater inlets. She stated the narrow lots are difficult to work with and staff is trying to make sure the needed improvements will fit in the right-of-way.

Ms. Bailiff added changes in Chapter 4 include removing text addressing improvements for existing streets, and additional language has been added to Section 4.7, which allows for deviations to required improvements if the Technical Review Committee (TRC) deems the requirements incompatible with the surrounding area. She displayed the table in Section 4.7 of the LDO and explained staff removed curve radius and street trees from the table because it is addressed in other sections. She noted language has also been added to make it concise to developers that if the required improvements cannot be adequately accommodated within the right-of-way, then an additional right-of-way may need to be dedicated or the lot re-designed.

Ms. Bailiff displayed the Permitted Building Types table in the LDO and explained amendments to Chapter 5 include correcting an error staff noticed in the Neighborhood Mixed Use (NMX) zoning district. She explained single-family residential is permitted in NMX however the house-type was not permitted so staff corrected the error. She noted a section from Chapter 4 regarding pedestrian connections from the primary building entrance to the public sidewalk system was moved into Chapter 5 and shifted into the building entrances section. She stated in the Dimensional Standards table staff increased the lot width for townhomes in Urban Residential (UR), Residential Mixed-Use (RMX), NMX, Corridor Mixed-Use (CMX), and Hospital Services (HS) from 20 feet to 25 feet if it is front access. She commented that if the townhomes are rear access, they can stay at a 20-foot lot width minimum.

Ms. Bailiff added staff has received several multi-family developments in HB zoning and added Recreational Open Space Allocation in Chapter 7 as a result. She explained Chapter 8 includes terminology changes from “planting yards” to “perimeter buffers” and in the street tree section staff amended the spacing requirements for street trees. She explained the current regulation is for spacing of shade trees to be at 40 feet on-center and ornamental trees to be at 20 feet on-center. She added that staff is requesting to change the Ordinance to 50 feet on-center for both shade and ornamental trees.

Ms. Bailiff noted the requested changes in Chapter 10 regarding Garage Parking. She stated staff amended the Ordinance for two-car garages to allow one space to be counted towards the parking requirement, and she pointed out a one-car garage cannot be counted towards the parking requirement. She indicated a definition has been added in Chapter 18 to better define a reconstructed street.

Ms. Bailiff noted the TRC reviewed the request at its April 20, 2023 meeting and approval was recommended with minor changes, which have since been addressed. She added Planning Board reviewed the proposal at its April 25, 2023, meeting and found it consistent with

the Forward 2040 Plan and recommended approval. She added staff finds this request consistent with Forward 2040 policies 8.3.2 and 8.4.2.

Mayor Alexander convened a public hearing after due notice regarding the proposed LDO text amendment.

Mr. Rodney Queen expressed his concerns about amending townhouse lots from 20 feet to 25 feet, and he thanked Ms. Bailiff for the further explanation.

Mr. Kevin Jones requested updating the entire LDO and viewing it in its entirety.

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

Mayor Alexander requested clarification regarding the desire to ensure adequate parking for townhomes and smaller lot lines. Ms. Bailiff stated the foundation of zoning is the public's health, safety, and welfare. She noted that cars parked on both sides of the road make it difficult for emergency vehicles to access homes.

Mayor Pro Tem Sheffield asked if a developer has a plan in review how the proposed amendments would affect their plans. Ms. Bailiff stated the developer would be covered under the Permit Choice statute. She explained when a developer submits an application, the developer can choose which version of the Ordinance they would like their plan to be reviewed under.

Councilmember Post asked how many townhomes are currently under development in the City. Ms. Bailiff noted she is still determining the exact number, but staff has received two submitted plans for 2023, and a significant number of subdivisions were submitted in 2022. She commented many submissions were for single-families, but had townhomes mixed in.

Councilmember Post stated the City Council hereby finds and determines that adoption of an Ordinance to amend the Land Development Ordinance of the City of Salisbury as underlined or stricken herein is reasonable, in the public interest, and is consistent with the Forward 2040 Comprehensive Plan. Thereupon, Mr. Post made a **motion** to adopt an Ordinance amending Chapters 4, 5, 7, 8, 10, and 18 of the Land Development Ordinance of the City of Salisbury, North Carolina. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

ORDINANCE AMENDING CHAPTERS 4, 5, 7, 8, 10, AND 18 OF THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 115-202, and is known as Ordinance 2023-31.)

LAND DEVELOPMENT ORDINANCE TEXT AMENDMENT – CHAPTERS 9 AND 15

Senior Planner Victoria Bailiff asked Council to consider adopting an Ordinance to amend chapters 9 and 15 of the Land Development Ordinance (LDO). She added that the amendment has been proposed to modify major and minor site plan procedures and add language to permit developers to begin grading before construction document approval.

Ms. Bailiff stated in Chapter 9 the only change that was made was moving the pre-development site grading language to Chapter 15. Ms. Bailiff explained the current procedure for major and minor site plan review is the developer submits schematic plans for review and then submits for master plan approval. She noted once approved, the zoning permit is issued. She commented once the zoning permit is issued, the construction documents are submitted for approval. She explained the problem is once developers are given zoning permits, they are permitted to go to Rowan County for building permits. She added staff has concerns with the builder starting to construct their building without approved construction documents. She stated staff recommends construction document approval before the zoning permit can be issued.

Ms. Bailiff stated the request was reviewed by the Technical Review Commission (TRC) on April 20, 2023 who approved the request. She added the request also went to Planning Board on April 25, 2023 who found it to be consistent with the Forward 2040 Comprehensive Plan and recommended approval. She noted staff finds the request is consistent with Forward 2040 Policy 6.3.3.

City Manager Jim Greene thanked staff for working with the development community to address concerns.

Mayor Alexander convened a public hearing after due notice regarding the proposed LDO text amendment.

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

Councilmember Post stated the City Council hereby finds and determines that adoption of an Ordinance amend the Land Development Ordinance of the City of Salisbury as underlined or stricken herein is reasonable, in the public interest, and is consistent with the Forward 2040 Comprehensive Plan. Thereupon, Mr. Post made a **motion** to adopt an Ordinance amending Chapters 9 and 15 of the Land Development Ordinance of the City of Salisbury, North Carolina. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

ORDINANCE AMENDING CHAPTER 9 AND CHAPTER 15 OF THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 203-219, and is known as Ordinance 2023-32.)

VOLUNTARY ANNEXATION AND REZONING – 807 JULIAN ROAD

Senior Planner Victoria Bailiff addressed Council regarding a proposed voluntary annexation and rezoning request for 807 Julian Road. She noted the total area to be annexed is 8.768 acres and is located at the intersection of Julian and West Richie Roads and known as Tax Map 400 Parcel 045. She added the property is contiguous to the primary corporate limits and public water is currently located in the Juliann Road right-of-way and sewer will be accessed through a proposed extension of the sewer line along Richie Road.

Ms. Bailiff stated Mission Properties is the petitioner for the rezoning request, and she noted the parcel is located within the City's Extraterritorial Jurisdiction (ETJ) and currently zoned Highway Business (HB). She indicated the applicant is requesting the property be rezoned to Corridor Mixed-Use (CMX) with a Conditional District Overlay.

Ms. Bailiff reviewed the Master Plan which proposes a 192-unit apartment complex, comprised of six apartment buildings and a clubhouse. She noted the applicant proposed one alternative design request, and she explained Section 10.6 of the Land Development Ordinance (LDO) requires two parking lot connections to adjacent properties and the applicant is proposing one stub out to the south. She then reviewed the landscaping plan, and she pointed out the elevations for the proposed buildings.

Ms. Bailiff stated the property is designated Activity Corridor on the Future Land Use Map, which is consistent with CMX zoning and staff finds the request is consistent with Forward 2040 policies 8.3.2 and 5.1.1. She added the master plan was reviewed by the Technical Review Commission (TRC) on November 17, 2022 who recommended approval subject to minor revisions which were satisfied. She indicated the Planning Board reviewed the request at its February 28, 2023 meeting and found it to be consistent with the Forward 2040 Comprehensive Plan and recommended approval.

Councilmember McLaughlin asked if there was any opposition to the rezoning request. Ms. Bailiff noted there was no opposition.

Mayor Alexander convened a public hearing after due notice regarding the proposed voluntary annexation and rezoning of 807 Julian Road.

Mr. Jeff Richie stated he is an adjoining property owner and he supports the proposed rezoning and voluntary annexation.

Mr. Vaughn Lylerly stated he is the property owner, and he indicated the proposal is a good location for an apartment complex with two churches in walking distance and a gym across the street.

Councilmember Smith asked about the timeframe for the expansion of Julian Road with regards to the proposed development. City Engineer Wendy Brindle noted the project is anticipated to be complete in 2025. Mr. Smith commented traffic can get backed up on Julian Road, and he expressed concern about the traffic situation.

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

Thereupon, Councilmember McLaughlin made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, North Carolina to include 8.768 acres located at 807 Julian Road, Tax Map 400 Parcel 045. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA TO INCLUDE 8.768 ACRES LOCATED AT 807 JULIAN ROAD, TAX MAP 400 PARCEL 045.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 220-221, and is known as Ordinance 2023-33.)

Councilmember McLaughlin stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein, is reasonable and is in the public interest. The proposal is fundamentally consistent with the goals, objectives, and policies of the Forward 2040 Comprehensive Plan. Thereupon, Mr. McLaughlin made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina, rezoning 807 Julian Road, approximately 8.768 acres, Tax Map 400 Parcel 045 from Highway Business to Corridor Mixed-Use with a Conditional District Overlay. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING 807 JULIAN ROAD, APPROXIMATELY 8.768 ACRES, TAX MAP 400 PARCEL 045 FROM HIGHWAY BUSINESS TO CORRIDOR MIXED-USE WITH A CONDITIONAL DISTRICT OVERLAY.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 222-223, and is known as Ordinance 2023-34.)

UPDATE - BYRNE CRIMINAL JUSTICE INNOVATION GRANT INITIATIVE

Byrne Criminal Justice Innovation Grant initiative (BCJI) Community Project Coordinator Chanel Nestor and Police Lieutenant Koula Black provided an overview of the West End Salisbury Transformed Empowered Neighborhood Development (WEST END) Project.

Ms. Nestor pointed out West End Community meetings are scheduled for the second Thursday of each month through the end of the year and the first meeting took place May 10, 2023. She noted IDEA Analytics gathered information from mailed in and participatory surveys, and she will share summarized information regarding target areas identified through the research. She provided an overview of the internal grant organization chart and project team of residents and staff.

Ms. Nestor pointed out there are three phases of the BCJI Grant including planning, implementation, and sustainability. She indicated the City is in the planning and implementation stages, and she explained the BCJI goals and expected outcomes include:

- Establish a community-led council(s)
 - Assist the planning team in identifying needs, services, and/or programs
 - Support decision making on implementing or enhancing services and programs
- Use grant funding to jump-start or enhance programs and services
 - Informed by community needs
 - Detailed sustainability plans
- Community violence intervention plans and actions
 - Increased community collaboration
 - Measured impacts to individuals and neighborhood

Ms. Nestor explained in 2021 the BCJI grant was developed and awarded at the end of the year. She added in 2022 Council approved proceeding with plans for the grant through data collection, which took place between June 2022 and February 2023. She noted she joined the City in October 2022 and she received great direction from the West End community residents.

Ms. Nestor pointed out the next phase is the action plan submission process where the proposed budget is reviewed and monthly meetings will take place. She added she is working with various departments regarding the development of a council composed of West End residents and community organizations to be implemented by the end of the year.

Ms. Nestor reviewed proposed ways to reach the goals and expected outcomes by:

- Supporting the development of the West End Neighborhood Association
 - Contributing \$100,000 over two fiscal years
- Awarding existing organizations with youth development program grants of up to \$10,000
 - Contributing \$200,000 over two fiscal
- Supporting the development of small businesses by offering up to 50 \$1,000 seed grants for West End residents
 - Contributing \$100,000 over two fiscal years
- Neighborhood beautification and community visioning projects
 - Contributing \$100,000 over two fiscal years

Mayor Alexander asked if the funds for the 50 seed grants could be reallocated for different amounts if less than 50 businesses are chosen to receive the funding. Ms. Nestor pointed out the funding options are proposed and funds could be reallocated. Mayor Alexander also asked if existing active youth development groups would receive more funding than a group starting out. Ms. Nestor agreed, and she noted the goal is to collaborate with non-profit organizations to distribute the funds.

Councilmember Post asked about the total funding allocation. Ms. Nestor explained the funding total includes administrative costs. Mr. Post pointed out \$1,000 seed grants seems low for a start-up business, and he suggested the funding amounts be re-evaluated.

Councilmember McLaughlin asked how soon after implementation of the grants would action be taken around crime. Ms. Nestor pointed out the grant process is long, and she noted the goal is to improve the environment in which people live and give them a chance to envision their community being improved. Lieutenant Black commented the youth development programs are a priority, especially for at-risk youth, and staff is working on ways to provide resources for youth to live better and be better. She added the idea is to bring back vitality to the West End community.

Councilmember Smith pointed out it is important to understand that the City is partnering with residents, not dictating, and creating the space alongside them to cultivate partnerships. He added the process will take time.

Mayor Pro Tem Sheffield noted she understands the proposed action plan will change, and she requested staff keep the categories for funding options at the forefront and continue to get community feedback. She added it was great to hear staff lifting up the history of the neighborhood, and she indicated the project will be successful.

Councilmember Post suggested staff reach out to the YMCA near the West End about its 100% paid scholarship program for those who cannot afford the membership costs. He also suggested reaching out to Mr. Antwan Thompson regarding youth activities. Ms. Nestor noted she has contacts with Mr. Thompson.

City Manager Jim Greene thanked Ms. Nestor and Ms. Black for the work they do for the City. He pointed out Council will receive an update about the shootings that took place in the West End from Police Captain PJ Smith and Code Services Manager Mike Cotilla will provide an update about landlords and demolitions.

Captain Smith pointed out there have been two shootings recently off of Messner Street and 16 shootings in the general area since January. He commented the most recent shooting took place on May 8, 2023 and community members provided vehicle information to the detectives, which assisted staff when looking at the City's cameras. He added the vehicle was stolen from Confederate Avenue and linked to another shooting that occurred earlier this year off of Kenly Street. He noted the concerned location is 416 Messner Street. Mayor Alexander asked if there is an Ordinance in place regarding the state and federal bureaus being notified if a property has nuisance or drug activity. Captain Smith agreed there is an Ordinance in place.

Mr. Cotilla noted at the West End community meeting the Remedial Action Plan (RAP) Ordinance was discussed which is enforced by Code Enforcement. He noted within the past 18 months four tenants have been evicted related to shootings throughout the City. He indicated the property owner at 416 Messner where the latest shooting took place has been notified about the RAP Ordinance and the process has begun. He pointed out the RAP Ordinance is designed to hold property owners accountable for criminal activity that takes place on their property, and he added fines are given to the property owner until the tenants are evicted.

Mr. Cotilla updated Council regarding the timeline, procedures and statute requirements for demolitions. He pointed out 25 properties were placed on a list in October and he will have three properties to bring to Council for demolition this year. He explained the other properties have come into compliance, been demolished by the property owner, the compliance timeline was extended, or a developer purchased and built a new home on the property. He also noted some properties will stay on the list next year due to the lengthy process of each property.

Mayor Alexander asked if a concise document regarding the demolition process could be provided to the public so it could better understand the lengthy process for demolition to take place. Mr. Cotilla noted he would create one.

UPDATE – PARKS AND RECREATION RENOVATION PROJECTS

Parks and Recreation Director Nick Aceves addressed Council regarding renovation projects at various Parks and Recreation facilities funded through the American Rescue Plan Act (ARPA). He noted \$1.2 million in ARPA funds was appropriated for improvements to various recreation facilities and the Fred M. Evans Pool. He stated an additional \$1 million was appropriated to the Civic Center/Wells Fargo project. He explained the City purchased the Wells Fargo building last year with a grant from the North Carolina Department of Commerce.

Mr. Aceves displayed photographs of improvements made to the Park Avenue Community Center, City Park, and the Miller Recreation Teen Center. He noted proposed renovations to Hall Gym will not begin until the Miller Recreation Center is completed. He reviewed improvements that need to be made to the Fred M. Evans Pool that could total \$1million. He referenced the proposed recreation center/senior center/swimming pool facility, and he pointed out staff does not want to invest too much in the current pool if the larger pool is approved. He explained the current pool will suffice, and staff will make small improvements to the facility.

Mr. Aceves referenced the \$1million that was allocated to the Civic Center/Wells Fargo project, and he displayed photographs of the work that has been completed. He noted \$100,000 has been spent on improvements including a fire alarm system, and he pointed out there are approximately \$900,000 in ARPA funds remaining. He commented \$75,000 to \$150,000 has been earmarked for the Request for Qualifications (RFQ) which has been reviewed by City staff and Rufty Holmes Senior Center staff and will be sent out once the final edits are completed. He noted the cost for the RFQ could be split between the City and Rufty Holmes.

Mr. Aceves presented two funding options for the remaining funds:

- Option 1
 - Build a corporate picnic shelter to accommodate 150 to 250 people
 - Permanent Bathrooms at Kelsey Scott and City Parks
 - Disc golf course at Community Park
 - Repair outdoor basketball courts

- Option 2
 - Proceed with a Phase 1 of the Wells Fargo building
 - Demo the first floor to an industrial look
 - Add capacity appropriate bathrooms
 - Add a kitchenette
 - Construct storage for tables/chairs, etc.

Mr. Aceves pointed out Option 1 would increase amenities and provide increased usage and revenue opportunities which would impact current staffing levels. He noted the Wells Fargo building is an exciting project that would increase revenue through rentals and could also be used for City events. He pointed out downtown parking would be affected, and the building would have increased utility usage. He commented downtown events often take place when businesses are closed and will bring people to the downtown area. He noted staff recommends proceeding with improvements to the Wells Fargo building to increase rental inventory, activate the facility, increase revenue potential, and begin the process of improving the building. He added if funding is available staff also recommends moving forward with a select few of the Option 1 projects.

City Manager Jim Greene noted staff is looking for direction from Council, and he pointed out the City's Parks and Recreation facilities need improvement.

Mayor Alexander stated renovations are needed at the Wells Fargo building, and she pointed out permanent bathrooms are needed at Kelsey Scott Park and City Park which are well used by the community. Mr. Aceves suggested drop-in bathrooms, which are industry standard and would cost approximately \$150,000 each for two single units, or approximately \$300,000 for bathrooms at both parks. Mr. Greene asked about the impact to staff for the additional bathrooms. Mr. Aceves explained staff currently works with the contractor to keep the port-a-johns clean and serviced, and he added staff would work with various departments to service the bathrooms. He commented there would also be additional expenses such as bathroom and janitorial supplies, and utilities.

Councilmember Post indicated he supports Option 2, but would like to consider funding for the bathrooms at Kelsey Scott Park and City Park. Councilmember Smith clarified Council is leaning toward Option 2 and looking for funds for the park bathrooms. Mr. Aceves stated Kelsey Scott Park and City Park are well used facilities and the goal is to provide bathroom facilities for both parks. Mr. Greene clarified Council would like to focus on Option 2, which is Phase 1 of the Wells Fargo building, and if there is extra funding put it toward bathrooms at the parks. Councilmember McLaughlin suggested including the bathrooms as part of Option 2. Mayor Alexander agreed. Mr. Aceves noted staff will continue to look for grants and other funding sources.

Thereupon, Councilmember Post made a **motion** that the remaining ARPA funds be utilized for bathrooms at Kelsey Scott Park and City Park and that the balance be used to complete Option 2, Phase 1 of the Wells Fargo building. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

UPDATE – TOWN HALL MEETING CITY COUNCIL ELECTION PROCESS

City Attorney Graham Corriher and Administrative Services Director Kelly Baker provided an update on the City Council Election Process Town Hall Meetings. Mr. Corriher noted the General Assembly has given Council the authority to:

- Make stylistic changes to the name of Salisbury and its governing board
- Change the terms to either two or four years
- Change the size of Council from three members to no larger than 12 members
- Change the mode of election to include districts, wards and at-large members
- Change from nonpartisan to partisan elections
- Change the method of selecting its Mayor
- Form of government
 - Mayor – Council
 - Council – Manager

Mr. Corriher reviewed the timeline and explained the process for Council initiated Municipal Charter changes and changes subject to a referendum. He explained for Council to adopt an Ordinance without a referendum vote that would be effective in 2023 it would need to adopt a Resolution of Intent at this meeting and set a public hearing for its June 6, 2023 meeting to receive community input. He stated at its June 20, 2023 meeting Council could adopt an Ordinance that would be effective immediately prior to the filing period which begins on July 7, 2023, but would not take effect until Election Day. He commented if Council acts on its own it is subject to a referendum petition to make the Ordinance subject to a vote of the people.

Mr. Corriher explained to make the change subject to a referendum the change would be effective in 2025 and is more relaxed because it would not affect the 2023 municipal election. He noted Council would adopt the Ordinance 70 days prior to the election so it could be on the ballot and subject to a vote of the people. He noted the Resolution of Intent would need to be adopted by July 18, 2023, a 10-day public notice would be provided, and Council would hold the public hearing and consider adopting the Ordinance subject to a referendum vote. He pointed out this is the process Council followed when it changed the way the Mayor is elected. He then reviewed the terms used of Rowan County Commission, the School Board, and municipalities within the County.

Ms. Baker noted three town halls were held across the City at the Civic Center, Miller Recreation Center, and Park Avenue Community Center with approximately 22 participants. She explained feedback forms were passed out at each meeting and 10 forms were returned to staff. She reviewed the responses, and she stated there was no clear consensus on any issue:

- Terms
 - Six preferred two-year terms
 - Three preferred four-year terms
 - One did not respond

- Size of Council
 - Four preferred existing size
 - Four preferred expanded size
 - One did not respond

Councilmember Smith suggested Council consider holding a public hearing and voting on the issue, and he indicated he does not think the City needs a referendum. Councilmember Post pointed out there was little interest during the town hall forums, and he added 65% of the people wanted to leave the terms at two years. He indicated he does not see any reason to make a change at this time.

Mayor Pro Tem Sheffield noted public hearings are catalysts for citizens to respond, and she asked Councilmember Smith to clarify the issue for the public hearing. Mr. Smith indicated he is interested in public opinion regarding four-year staggered terms. He stated the City is growing and Council needs time to develop and two-year terms do not provide enough time. He pointed out municipalities with explosive development, such as Kannapolis, have four-year staggered terms.

Councilmember Post stated if a change is made it should come through a public referendum. Councilmember McLaughlin commented the decision should be made by the people. He added he supports four-year staggered terms, and he noted it is important to have seniority on the Council. Mr. Smith pointed out the first option does not exclude the public, who can express its opinions during the public hearing.

Mayor Pro Tem Sheffield indicated a referendum can be confusing and some citizens may not comprehend what they are voting on. She pointed out Council has been elected to make decisions, and she does not support putting the item on a referendum. She expressed concerns that Council could have five new members after an election. She indicated she would support four-year staggered terms which seems to be a better fit for bigger projects that require local knowledge. She pointed out members of the Council could change every two years with four-year staggered terms.

Mayor Pro Tem Sheffield asked for clarification regarding the separate mayoral election. Mr. Corriher explained per State Statute the separate mayoral election must stay in effect for two years, which ends after the 2023 election.

Councilmember Post made a **motion** to leave things as they are. Mayor Alexander and Councilmember Post voted AYE. The motion did not pass.

Mr. Corriher noted staff worked on various possibilities and prepared Resolutions of Intent for Council's feedback and consideration. He pointed out tonight would be the last night to adopt a Resolution of Intent without a referendum vote that would be effective in 2023. There was discussion regarding what Council would want the Resolution of Intent to include. Mr. Corriher pointed out the mayoral election cannot be changed in 2023, and he indicated Council would have the authority to change the mayoral election to four-year terms with an effective date of 2025. There was discussion regarding whether the mayor's term should remain two years or if the entire Council should have four-year terms. It was agreed that four-year terms for the entire Council

would create consistency. Council decided to receive input from the community during the public hearing and then determine if the item will be placed on a referendum vote.

Mr. Corriher referenced the Resolution of Intent, and he suggested striking paragraph two from the back page, which says that Council's intent is not to make it subject to a vote of the people. He clarified by adopting the Resolution of Intent without paragraph two, Council states its intent to consider adopting an Ordinance to change the length of Councilmember's terms from two-year terms to four-year staggered terms and in 2025 to increase the length of the mayor's term from two years to four years. He explained Council will then need to decide whether or not to make it subject to a referendum vote.

Councilmember Smith then made a **motion** to adopt a Resolution of Intent to consider an Ordinance to amend the City Charter to establish staggered, four-year terms for Salisbury City Council. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE TO AMEND THE CITY CHARTER TO ESTABLISH STAGGERED, FOUR-YEAR TERMS FOR SALISBURY CITY COUNCIL.

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 19-20, and is known as Resolution 2023-15)

BOARDS AND COMMISSIONS

Greenway, Bicycle and Pedestrian Committee

Upon a motion by Councilmember McLaughlin. Mayor Alexander, Mayor Pro Tem Sheffield, and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointments were made to the Greenway, Bicycle and Pedestrian Committee:

Ms. Sara Clymer

Term Expires 3/31/2024

Mr. Andrew Jacobson

Term Expires 3/31/2025

COUNCIL COMMENTS

Councilmember McLaughlin noted the Project Safe Neighborhood *A Mile in Their Shoes*, re-entry simulation and former offender job/resource fair will take place on May 24, 2023 at the West End Plaza. He added registration is required and participants can register at www.salisburync.gov/reentry.

MAYOR PRO TEM'S COMMENTS

Mayor Pro Tem Sheffield requested an update on the Microtransit Plan. City Manager Jim Greene noted staff will provide an update on Microtransit at the next Council meeting.

Mayor Pro Tem Sheffield indicated the City has a litter problem, and she thanked everyone who participates in the Adopt-A-Street Program. She thanked the *Salisbury Post* for its story on the Worthey family who participate in the program.

Mayor Pro Tem Sheffield stated on May 5, 2023 the City unveiled the 2023 Salisbury Sculpture Show which includes 18 new sculptures placed throughout the City. She thanked Ms. Ellis for speaking about the violence in her community, and she also noted the Cheerwine Festival will take place this Saturday.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander thanked staff for its work to make the parade and events that took place at the Bell Tower Green Park for Salisbury High School Basketball and Track Team a success. She then thanked staff for all it does for the City.

(a) Special Council Meeting

Mayor Alexander announced City Council will hold a special meeting Tuesday, May 23, 2023 at 5:00 p.m. in Council Chambers to receive the proposed FY2023-2024 City budget.

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 9:12 p.m.



Karen Alexander, Mayor

Connie B. Snyder, City Clerk