

Salisbury, North Carolina  
May 17, 2022

## **REGULAR MEETING**

**PRESENT:** Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; Interim City Manager Brian Hiatt, City Clerk Kelly Baker; 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 Pro Tem Sheffield 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.

## **CHANGES TO THE AGENDA**

Mayor Pro Tem Sheffield noted the following changes to the Agenda:

Add – Proclamation of Appreciation for Mayor Alexander.

## **PROCLAMATION OF APPRECIATION – MAYOR ALEXANDER**

Mayor Pro Tem Sheffield expressed Council's gratitude to Mayor Alexander for her service as President of the North Carolina League of Municipalities during the past year. Mayor

Pro Tem Sheffield read a Proclamation of Appreciation and presented a framed copy to Mayor Alexander. Council members also expressed their thanks to Mayor Alexander and commended her for her leadership.

### **ADOPTION OF THE AGENDA**

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

### **PROCLAMATIONS**

Mayor to proclaim the following observances:

PUBLIC WORKS WEEK	May 15-21, 2022
MEMORIAL DAY	May 30, 2022
EXERCISE IS MEDICINE MONTH	May 2022
BIKE MONTH	May 2022
ASIAN PACIFIC AMERICAN HERITAGE MONTH	May 2022

### **CONSENT AGENDA**

(a) Minutes

Adopt Minutes of the regular meeting of May 3, 2022.

(b) Voluntary Annexation – Peach Orchard Road

Receive a request for voluntary annexation of 43.1536 acres located at 735 Peach Orchard Road, Tax Map 407A Parcels 009, 112, and 113, 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-58.1, FOR VOLUNTARY ANNEXATION OF 43.1536 ACRES, LOCATED OFF PEACH ORCHARD ROAD AND IDENTIFIED ON TAX MAP 407A AS PARCELS 099, 112, and 113.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 25, and is known as Resolution 2022-18.)

(c) Street Closure – Correll Street

Adopt a Resolution declaring the intent to close Correll Street, a 50 foot wide unimproved right-of-way, and set a public hearing for June 21, 2022.

**RESOLUTION PERTAINING TO THE PROPOSED CLOSING OF THE CORRELL STREET, A 50' WIDE UNIMPROVED RIGHT-OF-WAY.**

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 26, and is known as Resolution 2022-19.)

(d) Contract Extension – Motorola

Authorize a five-year extension to the radio system maintenance contract with Motorola for a total amount of \$1,508,286. The system uses both City and County infrastructure, and Rowan County has agreed to a similar contract.

(e) Certificate of Safety Achievement

Commend Risk Manager Leigh Ellington and staff as the City of Salisbury received a Certificate of Safety Achievement from the North Carolina Department of Labor for the third consecutive year in recognition of the safety and health efforts to reduce injuries and illnesses and promote safer working conditions in 2021.

Councilmember Post asked for additional information for the Motorola contract extension (item 6). Public Works Director Craig Powers explained the extension is for a five-year period and mirrors the approval by the Rowan County Board of Commissioners.

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.

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

**VOLUNTARY ANNEXATION – HARRISON ROAD**

City Engineer Wendy Brindle presented a voluntary annexation of approximately 134 acres located on Harrison Road. She reviewed the annexation map and noted the annexation would be contiguous. She stated the proposal is for 136 single-family units, and the North Carolina Department of Transportation will require improvements at the entrance on Harrison Road.

Mayor Alexander convened a public hearing after due notice regarding the voluntary annexation of Harrison Road.

Councilmember Post asked about the proposed lot size, house size and price point for the development.

Mr. Adam Fiorenza stated he is the developer for this project. He noted the lot sizes average 60 feet wide by 120 feet deep. He indicated he is hesitant to provide a price point because of the volatility of the current market. He added the houses range in size from 1,800 square feet to 3,200 square feet.

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

Thereupon, Councilmember Post made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, North Carolina, to include 134.43 acres located on Harrison Road, Tax Map 450 Parcel 001 effective May 21, 2022. 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 7134.39.521 ACRES, TAX MAP 321 PARCEL 079, OXFORD STATION, LOCATED ON OLD MOCKSVILLE ROAD.

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 94-96 and is known as Ordinance 2022-32.)

### **VOLUNTARY ANNEXATION – CROSS DRIVE**

City Engineer Wendy Brindle presented a request for voluntary annexation of 6.943 acres located at 275 Cross Drive. She noted the request will help fill a hole in the City's existing city limits. She referred to the annexation map and noted the request is for a single family residence whose owner is requesting access to water and sewer.

Mayor Alexander convened a public hearing after due notice regarding the voluntary annexation of 275 Cross Drive.

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

Thereupon, Councilmember Post made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, North Carolina, to include 134.43 acres located on Harrison Road, Tax Map 450 Parcel 001 effective May 17, 2022. 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 6.943 ACRES LOCATED AT 275 CROSS DRIVE.

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 97-98 and is known as Ordinance 2022-33.)

**VOLUNTARY ANNEXATION AND REEZONING – PEELER ROAD**

Development Services Manager Teresa Barringer introduced new Senior Planner Victoria Bailiff. Ms. Bailiff reviewed a request for voluntary annexation of 64.3163 located on Tax Map 408 Parcel 030 and Tax Map 410 Parcel 001, 019, 029, 112, and 124 on Peeler Road. She noted the voluntary annexation will be a satellite annexation.

Ms. Bailiff indicated the developer has requested the property be rezoned upon annexation. She noted the site is currently under Rowan County zoning, and the proposed City zoning classification will be Light Industrial. She pointed out the zoning for properties surrounding the site and reviewed a map of current zoning areas. She stated the rezoning request is a general request and there is no site plan associated with the site. She noted the Planning Board voted unanimously for approval of the request and found it consistent with the Comprehensive Plan.

Mayor Pro Tem Sheffield asked if anyone from the public had expressed concerns. Ms. Bailiff indicated two residents adjacent to the property shared safety concerns about increased traffic.

Mayor Alexander clarified the City's zoning classification matches the current Rowan County zoning. Ms. Bailiff noted the majority of the property is zoned Commercial, Business, Industrial which is very similar to the City's Light Industrial classification.

Mayor Alexander convened a public hearing after due notice regarding the voluntary annexation of Tax Map 408 Parcel 030 and Tax Map 410 Parcel 001, 019, 029, 112, and 124 on Peeler Road.

Mr. Ed Pietryck noted he lives adjacent to the property and supports the rezoning.

Mr. Matt Cochran, developer with Crow Holdings, stated the company is excited about the project. He referred to concerns about traffic and noted traffic should not travel east on Peeler Road and will have minimal impact.

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

Mayor Alexander then convened a public hearing after due notice regarding the proposed rezoning of Peeler Road.

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

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, North Carolina, to include 64.3163 acres, Tax Map 408 Parcel 030 and Tax Map 410 Parcels 001, 019, 029, 112 and 124, located on Peeler Road

effective May 17, 2022. 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 64.3163 ACRES, TAX MAP 408 PARCEL 030 AND TAX MAP 410 PARCELS 001, 019, 029, AND 124, LOCATED ON PEELER ROAD.

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 99-100 and is known as Ordinance 2022-34.)

Councilmember Smith stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the properties described herein, as requested, is consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan due to the proposed petition, site characteristics, surrounding development pattern, and observations provided by City planning staff, identifying the policies that support the petition. Thereupon, Councilmember made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina, rezoning Tax Map 410 Parcels 001, 019, 029, 112, 124 and Tax Map 408 Parcel 030 from Rowan County zoning Rural Residential, Rural Agricultural, and Commercial Business Industrial to City of Salisbury Light Industrial zoning approximately 64.3 acres. 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 TAX MAP 410 PARCELS 001, 019, 029, 112, 124 AND TAX MAP 408 PARCEL 030 FROM ROWAN COUNTY ZONING RURAL RESIDENTIAL, RURAL AGRICULTURAL, AND COMMERCIAL BUSINESS INDUSTRIAL TO CITY OF SALISBURY LIGHT INDUSTRIAL ZONING APPROXIMATELY 64.3 ACRES.

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 101-102 and is known as Ordinance 2022-35.)

### **REZONING – WILLOW ROAD**

Senior Planner Victoria Bailiff addressed Council regarding the rezoning of Tax Map 329 Parcel 050 on Willow Road from General Residential and Urban Residential to General Residential zoning approximately 10.91 acres.

Ms. Bailiff displayed aerial images and explained the parcel is currently split-zoned between Urban Residential (UR-12) and General Residential (GR-3). She stated that Smith Douglas Homes is looking to make the entire parcel General Residential (GR-3.)

Ms. Bailiff commented the area to the south contains properties that are undeveloped residential and commercial while the property to the east is undeveloped. She explained how

properties to the north are residential along Willow Road and properties to the west are zoned both residential and undeveloped.

Ms. Bailiff stated that this is a general use request so there are no conditions or site-plans accompanying the request. She explained how the Urban residential and General Residential districts are similar however the main difference is that animal service care facilities and professional services are not permitted in General Residential, while multifamily dwellings are permitted as new development only in General Residential.

Ms. Bailiff added the Planning Board held a courtesy hearing April 26, 2022 and voted unanimously to recommend approval as submitted.

Councilmember Post asked how the split-zoning occurred. Development Services Manager Teresa Barringer stated it most likely occurred during the transfer of parcels from the old zoning code to the new Land Development Ordinance.

Mayor Alexander convened a public hearing after due notice regarding the proposed rezoning of Willow Road.

Mr. Donald Griffin addressed Council regarding his concern with the zoning of the northern part of the parcel. He added that he lives on the end of Willow Road and is worried about the flow of traffic and construction disturbing the residents.

Mr. Spencer McNab with BGE Engineers stated the northern part of the property would not be significantly impacted and construction equipment will enter from Statesville Boulevard.

Councilmember Smith asked if there would be separate access on Willow Road. Mr. McNab commented they plan to have no impact on Willow Road.

Councilmember McLaughlin asked where then entrance from Statesville Road would be located. A representative of the developer stated the entrance will be close to the Farm Credit Union.

Councilmember Post asked about the size of the proposed houses. The representative stated they anticipate the homes to range from 1,800 to 3,000 square feet.

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

Councilmember Post stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein, as requested, is consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan due to the proposed petition, site characteristics, surrounding development pattern, and observations provided by City planning staff, identifying the policies that support the petition. Thereupon, Councilmember Post made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina, rezoning Tax Map 329 Parcel 050 from General Residential and

Urban Residential to General Residential zoning approximately 10.91 acres. 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 TAX MAP 329 PARCEL 050 FROM GENERAL RESIDENTIAL AND URBAN RESIDENTIAL TO GENERAL RESIDENTIAL ZONING APPROXIMATELY 10.91 ACRES.

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 103 and is known as Ordinance 2022-36.)

**LAND DEVELOPMENT ORDINANCE TEXT AMENDMENT – CHAPTER 10 (PARKING)**

Development Services Manager Teresa Barringer addressed Council regarding a request to amend two sections of Chapter 10 relative to parking.

Ms. Barringer noted the first proposed change is to section 10.3 regarding vehicle and bicycle parking for medical and dental offices. She commented these requirements included a maximum of five parking spaces per 1,000 square feet. She stated this posed a problem due to the high rotation of patients and personnel at the facilities. She stated the proposal is to double the size of maximum parking from five per 1,000 square feet to 10 per 1,000 square feet to meet the needs of medical facilities.

Ms. Barringer explained the second request is related to parking lot connections. She commented several proposals have raised questions when it comes to institutional building types and use. She stated that parking lot interconnectivity raises security and public safety concerns by allowing commercial traffic to flow through institutional building types such as schools, fire stations, and day care facilities.

Ms. Barringer proposed amending the Land Development Ordinance (LDO) to state that required parking lot connections shall apply to new development in addition to existing development with the exception of institutional building types. She commented that altering the LDO would allow these institutional building types to exempt themselves from interlock connectivity.

Mayor Alexander convened a public hearing after due notice regarding the proposed Land Development Ordinance 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 to amend the Land Development Ordinance as underlined or stricken herein is reasonable, in the public interest, and not inconsistent with the Vision 2020 Comprehensive Plan.



Thereupon, Councilmember Post made a **motion** to adopt an Ordinance amending Chapter 10 (Parking) 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 10 (PARKING) OF THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA.**

(The above Ordinance is recorded in full in Ordinance Book No. 30 at Page No. 104-114 and is known as Ordinance 2022-37.)

**NOMINATION INTO THE NATIONAL REGISTER OF HISTORIC PLACES – CITY MOTOR COMPANY BUILDING**

Planner Emily Vanek presented information regarding the eligibility for listing the City Motor Company building located at 419 South Fulton Street in the National Register of Historic Places. She pointed out the Historic Preservation Commission (HPC) and the City Council are required to receive public comment and provide a report to the State Historic Preservation Office (SHPO) for its nomination into the Register.

Ms. Vanek explained details regarding the property, and she noted a fence on the property will be kept by the owner. She added the HPC approved restoration of the windows on the main building.

Mayor Alexander convened a public hearing after due notice regarding the nomination of City Motor Company Building to the National Register of Historic Places.

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

Thereupon, Councilmember McLaughlin made a **motion** to recommend the City Motor Company building be listed in the National Register of Historic Places. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

**REQUEST FOR PROPOSALS – STATE LOBBYING SERVICES**

Administrative Services Director Kelly Baker pointed out there has recently been discussion regarding hiring a state lobbyist. She noted the City has a successful relationship with Strategics Consulting, its federal lobbyists and has built relationships with federal elected officials and federal agencies. She indicated the City has received nearly \$3 million in grants since partnering with Strategics, and she added the hope is to have that same success on a state level. She noted a state lobbyist would ensure the City is well-represented at the state level.

Ms. Baker commented Council can issue a Request for Proposal (RFP), but would not be obligated to move forward if Council decided not to hire a state lobbyist. She indicated sending

out the RFP would allow staff to receive proposals and provide the information to Council. She indicated the cost would be divided between the Water and Sewer Fund and the General Fund.

Mayor Pro Tem Sheffield asked about budgeting for the state lobbyist. Ms. Baker noted issuing the RFP would provide estimates on the cost, and she added other municipalities pay approximately \$5,000 a month.

Thereupon, Councilmember Post made a **motion** to issue a Request for Proposals for state lobbying services. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

### **BOARDS AND COMMISSIONS**

No appointments were made to Boards and Commissions.

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

City Attorney Graham Corriher had nothing to report to Council.

### **CITY MANAGER'S REPORT**

Interim City Manager Brian Hiatt noted Council's budget presentation will take place May 24, 2022 at 5:00 p.m. as a special meeting in Council Chambers.

Transit Director Rodney Harrison pointed out the City was selected by the North Carolina Department of Transportation Integrative Mobility Division (NCDOT IMD) to participate in a statewide combined application for microtransit service through the Multimobile Project Discretionary Grant. He commented out of 21 applications, the City was selected as one of 11 to continue in the grant process. He added if the City is awarded the grant it would fund the initial cost of microtransit service between three to five years with no cost to the City. He indicated the project would replace Route 3 which has the most ridership but has gaps in the City's current service area and includes Catawba College, Statesville Boulevard, Lash Drive, and the Hidden Creek area. He noted he is working to finalize the area for the grant to be submitted by May 23, 2022.

Thereupon, Councilmember Post made a **motion** to issue a letter of support for the Mobility for Everyone, Everywhere in North Carolina (MEE NC) grant application regarding microtransit. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

### **COUNCIL COMMENTS**

Councilmember Smith noted recent hate crimes that took place in Buffalo, New York and the loss of life that happened. He added everyone needs to pray for our Country, the community in Buffalo and the Salisbury community.

Councilmember Smith noted the Elizabeth Duncan Koontz Humanitarian Awards event speaks to the importance of the work of the honorees who were Father Robert Black, Mr. DeCarlo Duling and Ms. Sherry Hawthorne. He pointed out the Human Relations Council does excellent work including Diversity, Equity and Inclusion Director Anne Little, and EDK Chair Pastor Dee Ellison. He thanked everyone for their work on the event.

Councilmember McLaughlin suggested Council take into consideration the time of the Council meeting during an election so that the public can take part in both voting and the Council meeting.

Councilmember Post suggested Council review its public hearing procedures when items are contested. He pointed out other cities allow a specific amount of time for each side instead of three minutes for each person. He noted the process would be more effective and the comments would be organized for Council to receive the information better.

#### **MAYOR PRO TEM'S COMMENTS**

Mayor Pro Tem Sheffield welcomed Senior Planner Victoria Bailiff to the City, and she congratulated the City of Salisbury for its safety achievement.

Mayor Pro Tem Sheffield pointed out the Cheerwine Festival will take place Saturday, May 21, 2022 from 12:00 p.m. until 10 p.m.

Mayor Pro Tem Sheffield referred to a pamphlet developed by the Friends of the Rowan Public Library that encourages all ages to read.

Mayor Pro Tem Sheffield thanked Councilmember Smith for bringing up the recent event in Buffalo, New York.

#### **MAYOR'S ANNOUNCEMENTS AND COMMENTS**

Mayor Alexander thanked staff for all it does for the City, and she pointed out she received a letter of appreciation from a citizen for the work conducted by Code Enforcement Officer Michael Cotilla.

Mayor Alexander noted she signed a letter in support for the Mayor of Buffalo through the United States Conference of Mayors and the North Carolina Mayors Association. She noted there is a need to stop the divisiveness in our Country and develop better relationships with one another.

(a) Peace Officer's Memorial

Mayor Alexander announced a Peace Officer's Memorial Service will be held at 12:00 noon on Thursday, May 19, 2022 at 210 North Main Street. The Service is sponsored by the Rowan Sheriff's Office.

(b) Wine About Winter

Mayor Alexander noted Downtown Salisbury, Inc. will host the 9<sup>th</sup> Annual Wine About Winter event on Friday, June 3, 2022 from 5:00 p.m. until 9:00 p.m. Each ticket holder must be 21 years of age and present a valid id at registration located in the lobby of the Paul E. Fisher Gateway Building. For ticket sales and detailed information please visit [www.downtownsalisburync.com](http://www.downtownsalisburync.com) or call 704-637-7814. Tickets are \$24.50 in advance and \$32 the day of the event.

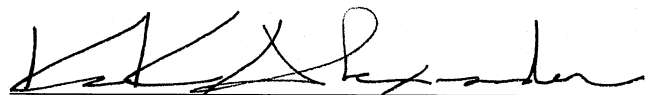
(c) Cheerwine Festival

Mayor Alexander announced the City of Salisbury and Cheerwine are teaming up to host the 2022 Cheerwine Festival. The free event will take place Saturday, May 21, 2022 in downtown Salisbury from noon until 10:00 p.m. Cheerwine fans can enjoy cold Cheerwine, live music, great Southern food, shop for Cheerwine merchandise, family-friendly activities, a beer garden and local craft vendors. For more information, please call 704-216-PLAY.

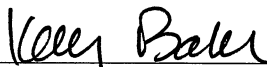
**ADJOURNMENT**

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

The meeting was adjourned at 7:43 p.m.



Karen Alexander, Mayor



Kelly Baker, City Clerk