

Salisbury, North Carolina  
November 20, 2007

## **REGULAR MEETING**

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

**ABSENT:** None

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Councilman Lewis.

## **PLEDGE OF ALLEGIANCE**

Mayor Kluttz led those present in the Pledge of Allegiance to the United States flag.

## **RECOGNITION OF VISITORS**

Mayor Kluttz recognized all visitors present.

## **ADDITIONS/DELETIONS TO THE AGENDA**

Mayor Kluttz noted the following changes to the Agenda:

Add – Council to receive a presentation from Rowan-Salisbury Schools.

Add – Council to receive a presentation regarding Salisbury-Rowan United II.

Omit Item 15 – Council to consider an appointment to the Zoning Board of Adjustment.

### **RECOGNITION OF SALISBURY HIGH SCHOOL FOR ACADEMIC ACHIEVEMENTS**

Mayor Kluttz recognized Salisbury High School (SHS) for its recent academic achievements. She introduced SHS Principal, Dr. Windsor Eagle; Salisbury High School Teacher of the Year, Mr. Carlton Jackson; and SHS Student Body President, Mr. Tom Fisher.

Mayor Kluttz stated that she attended Salisbury High School for the presentation of a certificate for its progress in the Federal testing program “No Child Left Behind.” She noted that SHS met all seventeen (17) of the program goals in 2006 and 2007. She pointed out that SHS was recognized in Newsweek Magazine for being in the top one thousand (1,000) public and private schools in the country for the third consecutive year, and has achieved high growth for the ninth consecutive year in the State ABC testing program.

Mayor Kluttz presented a Certificate of Recognition for Salisbury High School’s academic achievements to Dr. Eagle, Mr. Jackson and Mr. Fisher.

### **RECOGNITION OF SALISBURY HIGH SCHOOL GIRLS DOUBLES TENNIS TEAM**

Mayor Kluttz recognized Ms. Casey Collins and Ms. Susie Wear of Salisbury High School for winning the State 2A Women’s Doubles Tennis Championship. Mayor Kluttz presented each with a framed copy of a Proclamation naming November 20, 2007 as Casey Collins and Susie Wear day in Salisbury, North Carolina.

### **CONSENT AGENDA**

(a) Approval of Minutes

Approve Minutes of the Regular meeting of November 6, 2007 and the Special meetings of November 4 and November 14, 2007.

(b) Budget Amendment – Parks and Recreation

Adopt a budget Ordinance amendment to the FY2007-2008 budget in the amount of \$19,630 to appropriate various donations received by Parks and Recreation.

AN ORDINANCE AMENDING THE 2007-2008 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE VARIOUS RECREATION DONATIONS.

(The above Ordinance is recorded in full in Ordinance Book No. 21, at Page Nos. 202-203, and is known as Ordinance No. 2007-67.)

(c) Group Development Site Plans

Approve the following group development site plans:

- G-14-07 Cloninger Toyota, 511 Jake Alexander Boulevard, South
- G-17-07 Milford Hills United Methodist Church, 1630 Statesville Boulevard
- G-16-07 Walk-on Products, 200 Peeler Road

Councilman Burgin stated he would like items G-14-07 and G-17-07 pulled from the Consent Agenda and considered separately as he has a conflict on both.

Thereupon, Mr. Woodson made a **motion** that Mr. Burgin's request be removed. Mr. Kennedy seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

Thereupon, Mr. Burgin made a **motion** to approve the remaining portions of the Consent Agenda. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

Thereupon, Mr. Lewis made a **motion** to approve G-14-07 and G-17-07. Mr. Kennedy seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

**PRESENTATION FROM SALISBURY-ROWAN SCHOOL BOARD**

Mr. Bryce Beard, Salisbury-Rowan School Board Chairman and Mr. Gene Miller, Salisbury-Rowan School System Assistant Superintendent of Operations, presented a proposal for a joint building project to Council.

Mr. Beard stated that the Salisbury-Rowan School System (SRSS) is currently spread among four (4) locations and five (5) buildings and indicated that SRSS has needed a consolidated central office since the 1989 merger of the Salisbury and Rowan County School Systems. Mr. Beard proposed that the school system and the City join forces to build a conference center in Salisbury with the school administrative offices adjacent. He indicated that this would be a building that would boost the image of the schools, improve economic development and community pride.

Mr. Miller stated that a central consolidated office for the school system has been an ongoing goal since the merger of the two (2) school systems. He indicated that Councilman Burgin was asked to draw a preliminary sketch incorporating the space needs for the school system offices. Mr. Miller indicated he had a conversation with City Manager David Treme regarding possible downtown locations and discussed the possibility of using the former fitness center location on South Main Street. With the premise of using the South Main Street location, Mr. Miller presented a sketch, prepared by Mr. Burgin, depicting a three (3) story, sixty-eight (68,000) thousand square foot convention center and SRSS administrative office building. He added that the school system looked for a design that would incorporate a convention center that the City and community could use at night or weekends and the school system could use during the day. He added that this design provides a center that would seat approximately one thousand two hundred (1,200) people and would have side meeting rooms and a prep kitchen.

Mr. Miller indicated that this is the initial stage of proposing a collaborative effort between the Salisbury-Rowan School System, the Rowan County Board of Commissioners and City Council and that the School Board is seeking Council's approval to move forward with the proposal.

Mayor Kluttz stated that she personally understands the need of a centralized administration office. She noted that when the City studied the possibility of a convention center the task force found there is a need for a conference center with meeting space. She indicated that she thinks this idea has great potential because of the space that is needed by the school system. She pointed out that the City has no financial responsibility for the schools but has tried to support them in every way. She added that the City has been successful with public and private partnerships in providing amenities to the citizens that cannot be provided through tax dollars. Mayor Kluttz stated that this combined purpose would save tax dollars and provide space that the City, County and School system need.

Mr. Kennedy stated that this would be a win-win project for the City, County and the Salisbury-Rowan School System.

Mayor Kluttz noted that when the City explored the feasibility of a convention center, one concern raised was that the building would be sitting empty when there were no conventions taking place. She added that this would answer that question by providing a building that would have activity taking place all of the time.

Mr. Lewis stated that this would be an integral part of the downtown infrastructure and he is excited that the School Board is studying the feasibility.

By consensus, Council agreed for the School Board to proceed to work with City staff to develop a plan that the City and County can support.

Mr. Beard commented that the next step will be to gain consensus of support from the County Commissioners and schedule a time in the near future when all three boards can meet to discuss this formally.

Mr. Burgin commented that this is an opportunity to gain something more by working together than the City, County or the School System could gain separately.

**FIRE DEPARTMENT ANNUAL REPORT – NORTH CAROLINA RATING RESPONSE SYSTEM**

Fire Chief Bob Parnell and Battalion Chief David Morris presented the Fire Department Annual Report. Chief Parnell announced that Salisbury has maintained its North Carolina Department of Insurance Classification 2 Certification rating. He reviewed the items that the Fire Department are rated on during the process:

- Receiving and handling alarms (10% of total score)
  - Considers telephone service
  - Incoming lines and local directory
  - Staff and number of dispatch circuits
- Fire Department resources (50% of total score)
  - Considers primary Engine/Ladders
  - Considers reserve Engines/Ladders
  - Distribution and maintenance of resources
  - Staffing
  - Training of personnel
- Community Water Supply ( 40% of total score)
  - Includes water main capacity
  - Hydrant distribution
  - Hydrant installation, inspection and maintenance programs

Chief Parnell indicated that in 1995 Salisbury was rated 83.67 and in 2007 the rate rose to 85.42. He reviewed the comparisons of population and square miles covered:

	<u>1995</u>	<u>2007</u>
Population Protected	25,444	30,642
Area Covered	17.3 Square Miles	21.5 Square Miles
Total Number of Calls	2,135	3,905
Fire Stations	3	4
Personnel	68 full-time	74 full-time 8 part-time

Chief Parnell pointed out that in the State of North Carolina there are one thousand seven hundred thirty-one (1,731) rated fire departments and only twelve (12) communities have a Class 2 rating or better. He added that the impressiveness of this

rating is that our City Council and City Leaders have maintained and improved the infrastructure of the City as it continues to grow.

Mayor Kluttz expressed her pride in what the Fire Department has achieved and pointed out how grateful the City is for what they do every day.

**PUBLIC HEARING ZONING TEXT AMENDMENT T-02-07 AND ZONING MAP AMENDMENT Z-11-07 – NEW LAND DEVELOPMENT ORDINANCE**

Mr. Preston Mitchell, Senior Planner, indicated that Council was provided with a detailed presentation regarding the new Land Development Ordinance at its November 6, 2007 meeting. He reviewed the proposed adoption schedule noting that on July 11, 2007 the Land Development Ordinance Committee completed the draft document and proposed zoning map conversion. He noted that the Planning Board reviewed the document between August 28, 2007 and October 23, 2007 and presented its recommendation to Council at its November 6, 2007 meeting. Mr. Mitchell commented that the public hearing was scheduled for today's City Council meeting and noted that staff is requested Council delay action on the Ordinance and map until December 4, 2007, with the effective date yet to be determined.

Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, regarding Zoning Text Amendment T-02-07 Land Development Ordinance and Zoning Map Amendment Z-11-07.

Mr. Randy Hemann, 314 Mitchell Avenue, stated that the new ordinance takes the City from thirty (30) zoning classifications to seventeen (17) and feels that this is impressive. He indicated that the new ordinance will be much easier to interpret and follow for developers. Mr. Hemann added that because of unexpected issues that will arise, he understands that amendments will become necessary, but that in the past the Planning Board has used great judgment in making adjustments as needed. He pointed out that there are many people who care deeply about the community and have worked on this proposed ordinance and he expressed his appreciation for what they have done. He offered his support of the proposed ordinance.

Mr. Brian Miller, 109 Mitchell Avenue, stated that he participated in the Land Development Ordinance process and he feels that it creates predictability and should be supported. He indicated that predictability is crucial to the long term success of Salisbury. He added that if improvements are not made the City will gain the reputation as a place that does not want to do business. He encouraged Council to support the proposed ordinance.

Ms. Margaret Lipe, 228 Southerly Circle, thanked everyone for their work on the new ordinance. She stated that she has one concern related to properties located on Highway 70 West in a high traffic area. She pointed out that the property is currently zoned A-1 and will be zoned to Rural Residential which she does not feel is an

appropriate zoning. Ms. Lipe noted that the property consists of commercial businesses and an apartment complex and feels a more suitable conversion would be Corridor Mixed Use. She stated that this area has been identified as a growth corridor and will be a connector for I-85, I-40 and I-77. She asked Council to reconsider the zoning for this area.

Mr. Harold Poole, 310 Winterlocken Road, congratulated the City on the new Zoning Ordinance. He stated that he likes the way the Industrial District will be almost exclusively for industrial uses. He indicated that Rowan County has a Rural Residential District that allows approximately two (2) units per acre and the City's proposed ordinance allows one (1) unit per five (5) acres, which is very low density. He added that some City Rural Residential Districts touch the County's Rural Residential Districts and this may cause some confusion. He pointed out that court systems have considered such restrictive large-lot zoning to be exclusionary and designed for the rich while excluding the poor or middle class. Mr. Poole suggested that the current Historic District Overlay Zoning should retain its name instead of changing to the Historic Overlay.

Mr. George Busby, Confederate Avenue, stated that he feels what staff has presented is not actually an ordinance. He indicated that the submitted map is very clean and that the committee spent a great deal of time on it, but the map does not agree with the ordinance. He stated that he feels the new ordinance is missing some of the districts and that the proposed restructuring of the approval system only realigns what is here now. He feels there are many hidden costs of operation built-into the document. He indicated that he feels the ordinance needs more study and work and there are legal issues regarding the taking of land. He recommends that Council consult with proper attorneys before adopting.

Mr. Rodney Queen, 101 Polo Drive, commended Councilman Lewis and Councilman Burgin and for the amount of time they spent on the Land Development Ordinance Committee. He thanked City staff for their work and for the extra hours that were put in to the development of the ordinance. He indicated that this has been a long but worthwhile cause and that as a member of the Land Development Ordinance Committee he fought to maintain an ordinance that maintained opportunities for affordable housing. Mr. Queen noted that he takes comfort in the fact that Council has been willing to make adjustments throughout the years. He added that he knows there will be struggles with the new ordinance but he has confidence that it can be brought back to Council for adjustments in order to make it better and better for the citizens.

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

Mayor Kluttz stated that Council will take this information and consider taking action on the proposed ordinance at its December 4, 2007 meeting. She thanked everyone who has been involved in this process.

## **RENAMING BOUNDARY STREET TO MARTIN LUTHER KING, JR. AVENUE**

Mr. Dan Mikkelson, Director of Land Management and Development, reviewed the steps leading to the proposal to rename a street in honor of Dr. Martin Luther King, Jr. He pointed out that the Planning Board studied the issue and recommended that Boundary Street, from Bringle Ferry Road to Jake Alexander Boulevard, be renamed to Martin Luther King, Jr. Avenue. He indicated that City Council has a policy regarding the renaming of City streets which requires a thirty (30) day public comment period. He added that staff advertised today's public hearing and sent direct notices to property owners on Boundary Street.

Mayor Kluttz clarified that Julian Road is not included in the renaming, only Boundary Street is being considered. She noted that staff has received correspondence from six (6) people of which four (4) are in support and two (2) are against the proposed renaming of Boundary Street.

Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, on the renaming of Boundary Street to Martin Luther King, Jr. Avenue.

Ms. Fannie T. Butler, 711 Torrence Street, President of West End Community Organization, pointed out that in the future Council will be pleased to announce that the Salisbury Civic Center is located at 315 Martin Luther King, Jr. Avenue.

Ms. Elizabeth Fields, Executive Director of the Salisbury-Rowan Community Action Agency (formerly the Salisbury-Rowan Community Service Council) stated that the Board of Directors voted to support the name change of Boundary Street to Martin Luther King Jr. Avenue. The Board feels this is the right direction and is very important for the young people to have in the future.

Mr. Ted Goins, 230 West Marsh Street, Lutheran Services for the Aging, stated that their organization just moved to Boundary Street and he feels that Salisbury deserves a Martin Luther King, Jr. Avenue and Dr. King's legacy deserves this memory. He noted that it seems symbolic to remove Boundary Street just as people of Salisbury have worked to remove boundaries of prejudice and intolerance.

Mr. William Peoples, 522 North Fulton Street, Vice-President of the National Association for the Advancement of Colored People (NAACP), indicated that he thinks this is a job well done and has been a long time coming. He stated that even though Dr. King did not live in Salisbury he had a part in helping the community become what it is today.

Reverend Dr. Nilous Avery, 110 North Deer Field Circle, Pastor of Mount Zion Missionary Baptist Church, stated that as coordinator of the annual Dr. Martin Luther King, Jr. Humanitarian Awards, he would be proud to announce at the January 2008 meeting that a Salisbury street has been named in honor of Dr. King. He indicated that



Salisbury is a city of historic significance and has aspirations to be a great city. Dr. King's legacy represents this and would show Salisbury's aspirations for all people.

Mr. Clyde Overcash, 220 East Bank Street, stated that he has two (2) points to present. The first is that the City has the historical 1882 map which reflects the boundaries and that City Council approved boundary markers to outline where they are and that fourth grade elementary school students study these 1882 boundaries. He asked Council to not change these boundaries. Mr. Overcash stated that secondly, in the City's attempt to be inclusive, the City has excluded naming streets after many of our own African-American citizens who have contributed to the City's history. He pointed out that we do not have a Washington Street in honor of President George Washington who toured Salisbury in 1791. He asked that Council not change history and include the City's own citizens when renaming streets.

Mr. Jeff Saleeby, 411 Prescott Drive, stated that he thinks there are better ways to honor Dr. King. He indicated that he thinks renaming streets is disrespectful to the people who live on these streets. He suggested renaming the Civic Center or City Park in honor of Dr. King or commission an artist to sculpture a statue in his honor.

Ms. Sandra Russell, 509 Howell Street, stated that she is a resident of the East End Community and is not in favor of renaming Boundary Street to Martin Luther King, Jr. Avenue. She indicated that the community has experienced significant physical changes over the past forty (40) years and is facing the issue of possible erasure of local history associated with renaming Boundary Street. She pointed out that there are citizens and organizations trying to re-identify, preserve and maintain some type of attachments to their own roots and town history, especially the families who have lived there for twenty (20) to twenty-five (25) years. Ms. Russell asked Council to consider another street to rename such as Arlington Street or Brenner Avenue. She submitted to Council a petition with twenty-one (21) names and businesses who oppose the renaming of Boundary Street.

Mr. Tom Goodman, West Ridge Road, suggested re-naming the street King Avenue in honor of the entire family instead of re-naming the street Martin Luther King, Jr. Avenue.

Mr. Jim Mundy, stated that he owns a business located at 1620 Boundary Street and is not really for or against the proposal. He explained that he bought an office condominium a year ago and that the relocation cost him about \$2,500 to change the address on business cards and letterhead and that he had to provide the new address to approximately one thousand eight hundred (1,800) clients throughout eight (8) different states. Mr. Mundy stated that there was recently an editorial in the newspaper that discussed some issues he had not thought about and that if renaming the street to Martin Luther King, Jr. Avenue will help heal some of the tensions he can forego being against it for monetary reasons. He noted that he is not sure why municipalities have to recognize American citizens with naming roads after them when there are more serious issues that face the citizens.

Mayor Kluttz asked those in favor to stand and approximately twenty (20) people stood. She then asked those who were opposed to stand and approximately two (2) people stood.

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

Mayor Kluttz stated that no action will be taken today and that the issue will be considered December 18, 2007. She noted that additional public comments will be accepted through the City's Administration office during the thirty (30) day period and that Council is interested in citizen input.

Mayor Kluttz stated that the City received correspondence in support of the Boundary Street renaming from Ms. Joann Diggs, Ms. Eleanor Qadirah, Ms. Audrey Johnson, and Mr. Eldridge Williams and opposing correspondence from Ms. Sandra Russell and Mr. Russell Douglas.

#### **EXCUSE COUNCILMAN KENNEDY**

Councilman Kennedy asked to be excused from the meeting due to previously made travel plans.

Thereupon, Mr. Woodson made a **motion** to excuse Councilman Kennedy. Mr. Burgin seconded the motion. Messrs. Burgin, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

#### **CLOSING THE 700 BLOCK OF LISK STREET**

Ms. Wendy Brindle, Traffic Engineer, noted that on November 20, 2007, Council adopted a Resolution of Intent to close the 700 block of Lisk Street and scheduled a public hearing for November 20, 2007. She displayed an aerial map of the area of Lisk Street proposed for closure. Ms. Brindle stated that street closings are regulated by General Statute 160A-299 and in accordance with the Statute closing the street must not be contrary to the public interest and no individual should be deprived of reasonable means of ingress or egress to their property.

Ms. Brindle indicated that the property owner of the two adjoining parcels has agreed to combine the parcels when the street is closed. She pointed out that the petitioner owns all parcels involved and the order is subject to this combination. Ms. Brindle stated that all of the conditions have been met and if there is no reasonable opposition through the public hearing, Council can adopt a resolution accepting dedication of Lisk Street and adopt an order to close Lisk Street.

Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, on the closing of the 700 block of Lisk Street.

There being no one present to speak to Council, Mayor Kluttz closed the public hearing.

Councilman Lewis referred to a parcel of land to the South of the closed portion of Lisk Street and asked if it would have parking access from a nearby driveway. Ms. Brindle replied that the property will have access from the driveway. Mr. Lewis asked if this would create a non-conformity with the property line. Mr. Mikkelson, Director of Land Management and Development, answered that this will not create a non-conformity.

Thereupon, Mr. Lewis made a **motion** to adopt a Resolution pertaining to the acceptance of an offer of dedication for public use of the 700 block of Lisk Street. Mr. Woodson seconded the motion. Messrs. Burgin, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

RESOLUTION PERTAINING TO THE ACCEPTANCE OF AN OFFER OF DEDICATION FOR PUBLIC USE OF THE 700 BLOCK OF LISK STREET.

(The above Resolution is recorded in full in Resolution Book No. 12, at Page No. 62, and is known as Resolution No. 2007-41.)

Thereupon, Mr. Lewis made a **motion** to adopt an Order to close the 700 block of Lisk Street. Mr. Woodson seconded the motion. Messrs. Burgin, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

NORTH CAROLINA	*	BEFORE THE CITY COUNCIL OF
ROWAN COUNTY	*	THE CITY OF SALISBURY
	*	NORTH CAROLINA
IN THE MATTER OF:	*	
	*	ORDER CLOSING STREET
CLOSING THE 700 BLOCK	*	PURSUANT TO GENERAL
OF LISK STREET	*	STATUTE OF NORTH CAROLINA
	*	SECTION 160A-299
	*	

THIS CAUSE, coming on to be heard and being heard before the City Council of the City of Salisbury, Rowan County, North Carolina, at the regular meeting of said Council held on November 20, 2007 at 4:00 p.m., in the City Office Building at 217 South Main Street, Salisbury, North Carolina, and it appearing to the Council that all

persons, firms and corporations owning property adjoining the street described in the Petition filed in this cause are parties to this proceeding; and it further appearing that said street has never been accepted by the Department of Transportation; and it further appearing that notice of this hearing was duly published in THE SALISBURY POST on October 26, November 2, 9 and 16, 2007.

And it further appearing to the Council and the Council finding as a fact, that the closing of the street, as described in the Petition filed in this cause, is not contrary to the public interest or the property rights of any individual, and that the closed right-of-way will be combined with Rowan County Tax Parcel 012-300 so that no individual owning property in the vicinity of said street or in the subdivision in which they are located will be deprived of reasonable means of ingress and egress to his property by the closing of said street; and it further appearing to this Council that the relief prayed in the Petition should be granted.

IT IS NOW, THEREFORE, ORDERED AND DECREED by the City Council of the City of Salisbury, Rowan County, North Carolina, pursuant to and in accordance with the authority vested in this Council by the General Statutes of North Carolina, Section 160A-299:

An unimproved 50' right-of-way between Green Street and Rowan County Tax Map 012 Parcel 300. Right-of-way is shown on a map by Shulenburger Surveying dated 7-28-97 and recorded at Book 9995 Page 3167.

Be and the same is hereby forever closed subject to combination of the closed street with Rowan County Tax Parcel 012-300 and subject to a 30' easement centered on an existing power line.

This the 20<sup>th</sup> day of November, 2007.

CITY COUNCIL OF THE CITY OF  
SALISBURY, NORTH CAROLINA

BY: s/s Susan W. Kluttz  
Mayor

s/s Myra B. Heard  
City Clerk

## **GROUP DEVELOPMENT SITE PLAN G-05-94 CHICK-FIL-A**

Mr. David Phillips, Development Services Manager, stated that he was contacted by the developer before today's meeting and due to a miscommunication regarding the date of the Planning Board meeting, the developer did not attend and was not represented. The developer has requested that this item be deferred back to the Planning Board in order to return to the December 4, 2007 Council meeting with a better recommendation.

By consensus, this item was postponed until the December 4, 2007 City Council meeting.

## **RESOLUTION OF SUPPORT – ROWAN REGIONAL MEDICAL CENTER SOUTH**

Mr. Chuck Elliott, Chief Executive Officer of Rowan Regional Medical Center (RRMC), stated that he is pleased to appear before Council to discuss the opportunity of opening Rowan Regional Medical Center South, a new hospital which will be located in the South Rowan area. He reviewed information regarding the proposed hospital and their partnership with Novant Health:

### Rowan Regional Medical Center

- Not-for-profit 268 bed acute care hospital
- Serving Rowan County since 1936
- Comprehensive medical care
- 1,490 Employees
- 167 Physicians on Active Medical Staff – 259 (including consultants)

### Novant Health – New Partner

- Not-for-profit, integrated healthcare system in NC that serves over 3.4 million people in 34 counties
- 8 hospitals with 2 more opening by 2011, including Presbyterian, Mint Hill
- 2012 licensed beds
- 18,000+ employees
- 2,023 medical staff
- 800 affiliated physicians

### Choice and Access for Southern Rowan County

- Rapid growth in southern Rowan County
- Residents leave their community for care
- Community hospital provides convenient access to advanced care
- Choice in healthcare benefits patients and their physicians

### Rowan Regional Medical Center South

- 50-bed acute care hospital

- Potentially located on Moose Road near the I-85 Overpass
- Opening: 18 months after Certificate Of Need is awarded
- Serving Kannapolis, China Grove, Landis, Enochville and surrounding communities

#### Proposed Hospital Services

- 50 acute care beds
- 4-bed Intensive care unit
- Surgical operating rooms and endoscopy suite
- Emergency department
- Labor Delivery Room and Post-partum maternity suites
- CT scanner and other imaging services
- Pharmacy
- Lab

#### Proposed Hospital Amenities

- On-call dining for patients and families
- Flat-screen TV's in every patient room
- Free movies and Internet access
- Safety motion sensor lights for nurses safety
- Instant access nurse calling system
- Health library

#### Why A Hospital

- Investigated several options: Freestanding Emergency Room (ER), Outpatient surgery center, etc.
- Committed to comprehensive community care with specialty services available immediately
- In Emergency = Time is precious
  - Quick access to operating rooms
  - Many ER patients need admitted
  - Need to minimize transports out of facility

#### Quality Care

- RRMC is in the top 5% of the nation's hospitals for its record in patient safety
- RRMC is recognized by VHA Alliance for excellence in care of heart attack and heart failure patients
- Our clinical staff has achieved 24 months of care in the Intensive Care Unit without any ventilator-associated pneumonias
- RRMC is fully accredited by the Joint Commission, a nationwide seal of approval showing our hospital meets high performance standards

#### Why Rowan Regional and Novant Health?

- RRMC serving Rowan County for over 70 years; Novant Health via Presbyterian Hospital since 1903

- RRMC and Novant Health committed to delivering quality patient care
- Established model of bringing advanced patient care into the community

Mr. Elliott stated that the employees and physicians of Novant have the vision to deliver the most remarkable patient experience in every dimension, every time. He pointed out that Novant has received several awards and recognitions for patient and physician satisfaction. He noted that Presbyterian Hospital Huntersville and Presbyterian Hospital Matthews are prototypes of the type of hospital that is being proposed for southern Rowan County and that both are very successful and run at fairly full capacity.

Mr. Elliott indicated that RRMC has a history and philosophy of partnering with physicians who are very involved in the planning of the facility and services that will be provided. He pointed out that it is their commitment to try to keep patients close to home as often as possible and that the community needs to have a choice of where they go for care.

Mr. Elliott explained that the goal of RRMC is to remain involved in the community and to continue that commitment at Rowan Regional Medical Center South. He noted that RRMC has a patient financial assistance policy and extends care to patients regardless of their ability to pay.

Mr. Elliott stated that he feels the proposed facility is needed and that the South Rowan community deserves a hospital.

Mayor Pro Tem Woodson thanked Mr. Elliott for his comment that identifying a possible location was a necessary step in the application process and that the final location will be determined as the process continues.

Mayor Kluttz stated that there is no question that RRMC is a tremendous asset to the City and that she supports a Resolution in support of the proposal.

Mr. Lewis stated that supporters of RRMC endorse the proposal and this will enhance what RRMC can offer in Salisbury as well.

Mr. Burgin stated that if this plan makes RRMC stronger, it makes the hospital that serves him stronger and he will be glad to support the proposal.

Thereupon, Mr. Woodson made a **motion** to adopt a Resolution in support of Rowan Regional Medical Center South. Mr. Burgin seconded the motion. Messrs. Burgin, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

#### RESOLUTION OF SUPPORT FOR ROWAN REGIONAL MEDICAL CENTER SOUTH.

(The above Resolution is recorded in full in Resolution Book No. 12, at Page No. 63, and is known as Resolution No. 2007-42.)

## **RECOMMENDATIONS INTERSECTION OF JAKE ALEXANDER BOULEVARD AND MORLAN PARK ROAD**

Ms. Wendy Brindle, Traffic Engineer, reported that in April 2007 staff updated Council about traffic conditions at the Jake Alexander Boulevard and Morlan Park Road intersection. She reviewed an aerial map of the area and reviewed information relating to this intersection.

- Jake Alexander Boulevard – Seventeen thousand (17,000) vehicles per day - Intersects with Morlan Park Road near the railroad
- Morlan Park Road – North bound approach – One thousand two hundred (1,200) vehicles per day, sixty (60) percent is cut-through traffic from Faith Road to Jake Alexander Boulevard – Seven hundred twenty (720) vehicles per day
- Seventeen (17) accidents in four (4) year period – Twelve (12) of these involved vehicles either crossing or turning left at Jake Alexander Boulevard.

Ms. Brindle stated that Jake Alexander Boulevard is State maintained and City staff evaluated options with the North Carolina Department of Transportation (NCDOT):

### Jake Alexander Boulevard and Morlan Park Road Options:

- Intersection Realignment
  - Significantly alter the adjacent properties
  - Would not eliminate the conflict
- Traffic Signal
  - Addresses the accident trend and improve safety for the one thousand six hundred (1,600) vehicles per day on Morlan Park Road
  - Increase rear-end collisions on Jake Alexander Boulevard and cause extra delays to the seventeen thousand (17,000) vehicles per day on Jake Alexander Boulevard
  - Railroad preemption would be required which could cost as much as \$250,000
  - NCDOT does not support this option
- Median
  - Eliminate prevalent accident trend
  - Reduce traffic on Morlan Park Road
  - NCDOT willing to add protected/permissive left-turn at Faith Road and Jake Alexander Boulevard
    - Full Median
      - Prohibit all left-turn and straight-thru movements from Morlan Park Road
      - Prohibit all left-turn movements from Jake Alexander Boulevard
    - Directional Median (Left-Over)
      - Allow left-turns from Jake Alexander Boulevard onto Morlan Park Road



- Limit vehicles on Morlan Park Road to right-turns only
- Supported by NCDOT
- Cost approximately \$50,000

Ms. Brindle reviewed a schematic drawing demonstrating the directional median. She indicated that NCDOT and City staff recommends the installation of a directional median with traffic signal modifications at Faith Road and Jake Alexander Boulevard.

Mr. Lewis stated that he has been contacted by a citizen regarding this intersection and he feels that it would be prudent to schedule a courtesy hearing for the next meeting. By consensus, Council agreed to hold a public hearing at the December 4, 2007 City Council meeting.

### **BOARD APPOINTMENT – ZONING BOARD OF ADJUSTMENT**

This item was postponed for a later meeting.

### **COMMENTS FROM THE CITY MANAGER**

#### (a) Award Contract for Actiflo Concrete Remediation Project

Mr. Jim Behmer, Engineering Manager, indicated that Salisbury-Rowan Utilities (SRU) staff has been working with various professionals to determine the best way to repair the leaking concrete basins originally constructed with the Actiflo project. He noted that the water plant is working fine and the issue is one of durability. Mr. Behmer explained that bids were received November 12, 2007 and staff recommends awarding the bid to the low bidder, Commonwealth Epoxy Coatings, Inc. of Newport News, Virginia in the amount of \$187,960. He pointed out that the cost of the remediation project will be paid from retainages withheld from the original contractor.

Thereupon, Mr. Lewis made a **motion** to award a contract in the amount of \$187,960 to Commonwealth Epoxy Coatings, Inc. for the Actiflo concrete remediation project. Mr. Woodson seconded the motion. Messrs. Burgin, Lewis, Woodson and Ms. Kluttz voted AYE. (4-0)

#### (b) Drought Conditions and Water Supply

Assistant City Manager for Utilities Matt Bernhart reported that there has been no significant change in the water supply since the update given at Council's November 6, 2007 meeting. He noted that the upper portion of the Yadkin Basin is not located in the extreme drought zone and stated that the water level is five and one half (5 ½) feet above Level 1 voluntary restriction level, the first level of the conservation program. Mr. Bernhardt stated that the water flow has been consistent and the supply has been stable. He added that while the City's ability to withdraw water is not in jeopardy Salisbury-

Rowan Utilities is under Level 1 voluntary water restrictions to help conserve the capacity. He indicated that the extent of the drought is unknown and Salisbury may be called upon to assist neighbors with water needs. Mayor Pro Tem Woodson asked if a change in the use of water has been noticeable since moving to voluntary water restrictions. Mr. Bernhardt responded that the utility typically sees a seasonal change in water demand and use during this time of year. He noted that there has been a decline in use with the voluntary reduction request as well as because of publicity related to the drought. He stated that during the summer the peak use was over twelve (12) million gallons per day (mgd) and now the use is down to approximately six (6) or seven (7) mgd.

(c) Town Creek/I-85 Sewer Interceptor Project Update

Assistant City Manager for Utilities Matt Bernhardt updated Council on the I-85 sewer interceptor project. Mr. Jim Behmer, Engineering Manager, explained that I-85 falls in two (2) major drainage basins, the Town Creek Basin which flows north and the Cold Water Creek Basin, which flows toward Cabarrus County. Mr. Behmer reviewed the project details:

- Gravity Sewer extended southward to end of Town Creek Drainage Basin
- Termination at end of Town Creek Basin at point approximately three thousand five hundred (3,500) linear feet to the north of NC Highway 152
- Project cost estimate: \$6.5 million
- Agreement reached between City and County in March 2006
- Revised completion date:
  - Originally February 2009
  - Now February 2010

Mr. Behmer explained that projects of this size require environmental assessments and staff has been working with various agencies on these issues. He added that the permitting process has delayed the project approximately one (1) year and reviewed the revised project schedule:

- |                        |                            |
|------------------------|----------------------------|
| • Agreement Executed   | March 2006                 |
| • Design               | April 2006 – February 2008 |
| • Permitting           | May 2006 – February 2008   |
| • Easement Acquisition | January 2008 – June 2008   |
| • Bidding              | June 2008                  |
| • Construction         | July 2008 – February 2010  |
| • Closeout             | February 2010              |

Mr. Bernhardt stated that there have been some misconceptions regarding a change in the I-85 sewer project. He explained that the project has not been changed because a connection to the China Grove system has never been a part of the project as agreed upon by the City and Rowan County in March 2006. He stated that over one (1) year ago the City was in negotiations with the Town of China Grove regarding a possible

transfer of the China Grove utility system to become a part of Salisbury-Rowan Utilities. He noted that during that time there were discussions about possible interconnectivity if the system became one (1) system, but when China Grove turned down the City of Salisbury's proposal for system assumption staff stopped reviewing a connection because it was apparent there would be two (2) separate systems. Mr. Bernhardt reviewed the March 2006 agreement between the City and the County and noted that the final design of the line shows termination of the sewer line at the same point, approximately three thousand five hundred (3,500) feet north of NC Highway 152, as shown in the agreement.

Mr. Bernhardt informed Council that as the I-85 sewer project is bid the connection with China Grove will be included as an alternate in order to have an idea of the cost for the connection, but the market will determine which alternates can be added. He stated that the base project estimate is still \$6,500,000.

Mr. Bernhardt summarized the project with Council:

- Despite regulatory obstacles, the project is still underway
- Salisbury-Rowan Utilities (SRU) is designing and delivering exactly what was agreed to in the City/County agreement
- China Grove "missing link" interconnection from Hitachi Lift Station to end of gravity line will be included as an alternate
- Base project (gravity sewer line) is first priority. Bids will determine alternate costs
- SRU will attempt to work with China Grove on how it wishes to proceed once cost is determined

Councilman Lewis asked if City Council and the County Commission will have to approve the addition of alternates. Mr. Bernhardt responded that once the bids are received the City and County will review the alternates and decide how to proceed. He stated that there are other alternates that will be included that will be important to the successful use of the sewer line and noted bores under the interstate that will be quite expensive. He added that once bids are received these costs will finally be known and the City and County will decide how to proceed beyond the base project.

City Manager David Treme noted that revised Federal Emergency Management Agency (FEMA) flood maps were released in August 2007 and the State is moving to provide land use protection along creek areas in regards to major projects. He noted that staff was forced to wait on the release of this data and has had several meetings with State agencies to ensure that all plans to be adopted were in agreement with State requirements and this has delayed the project. He noted that the cost of the line extension to China Grove will be included as an alternate to determine its cost but reiterated that it was never a part of the original agreement and project. He commented that he is concerned about the bores that will allow the line to run across I-85 to connect to property between I-85 and US-29 and he feels this is more important than the China Grove connection.

(c) Update Salisbury Sports Complex Project

Mr. Stephen Brown, Parks and Recreation Landscape Manager, updated Council on the Salisbury Sports Complex project. Mr. Brown noted that when the project was initially bid it came in considerably over budget but because the City assumed the general contractor's role staff was able to bid to sub-contractors and remain within budget. He reviewed the funding and scope of the project:

- Project Funding
  - North Carolina Parks and Recreation Trust Fund Grant - \$250,000
  - Robertson Family Foundation Grant - \$125,000
  - Salisbury Parks and Recreation Department Capital Funds - \$125,000
  
- Master Plan Phase 1 Renovations
  - Basketball Courts
  - Softball Fields - two hundred and eighty-five (285) feet and three hundred (300) feet
  - Individual Picnic Sites
  - Covered Seating and Fitcourse
  - Bocce and Horseshoe Fields
  - Paved Walking Trails
  
- Master Plan Phase 2 Renovations
  - Improved Parking Lot
  - New Restroom Building
  - Playground
  - Picnic Shelter
  - Making Connections
    - Crossing to Ruffy Holmes Senior Center
    - Sidewalk Extension to Hill Street
    - New Sidewalk to Celebration Drive
    - Possible Future Trail Connection to Celebration Drive

Councilman Lewis commended Mr. Brown for his work in completing Centennial Park in Fulton Heights in time for its groundbreaking ceremony.

City Manager David Treme commented that staff is still seeking funds to complete the project and looks forward to obtaining another grant for its completion.

(d) Summit II Update

Ms. Karen Wilkinson, Public Information Manager, announced that "Salisbury-Rowan United II: The Next Steps in Creating an Action Agenda for a Safer Community and a Positive Future for our Youth" will be held at the Salisbury Civic Center located at 315 South Boundary Street. The event will be held Thursday, November 29, 2007 at 6:30 p.m. Ms. Wilkinson noted that feedback received from the first Gang Summit held

June 14, 2007 was incorporated into an Action Agenda that will be shared with the community. She noted that at Summit II the community will learn how the Action Agenda was created, meet the newly expanded Salisbury Police Department Gangs Task Force, and hear an update on local gang activity. She stated that there will be free prizes and gifts to participants along with a free handbook listing positive youth activities for youth in the community.

Mr. Doug Paris, Assistant to the City Manager, stated that the goal of Summit II will be to connect citizens to the resources that they identified during the last Summit. The eight (8) areas that are included will be:

- Schools and School programs
- Jobs and Job Training
- Tutoring/Mentoring
- Law Enforcement Support Programs
- Parenting Classes
- Recreational Opportunities
- Faith-Based Initiatives
- Community Awareness

Mr. Paris noted that many community organizations will participate in the Summit and he invited the public to attend.

Mayor Kluttz encouraged citizens to attend the Summit and become involved in making the community safer and helping the youth.

## **PUBLIC COMMENT**

Mayor Kluttz opened the floor to receive public comment.

Mr. Jerry Shelby, Morlan Park, stated that he will not be present on December 4, 2007 for the public hearing regarding recommendations for the Morlan Park and Jake Alexander Boulevard intersection. He commented that he uses this intersection daily and asked if staff's study showed what time of day the seventeen (17) accidents in four (4) years had occurred. He asked if they happened at 7:00 a.m. or 8:00 a.m. in the morning and if everyone would be inconvenienced for the rest of the day when accidents only happened at a certain time. Mr. Shelby suggested cutting the trees and bushes at the intersection along with removal of several signs to give drivers more visibility. He stated that there is no bus service for this area and there are many bicyclists in the area and the proposed recommendations will only create traffic nightmares in other areas. Mr. Shelby stated that he rides his bicycle across this street and the traffic comes in cycles with the light change. He noted that residents of Granite Quarry and Faith also use this road to come into town and indicated he will submit his comments and suggestions for Council's consideration.

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

## **MAYOR'S ANNOUNCEMENTS**

(a) Holiday Caravan Parade

Mayor Kluttz announced that the Holiday Caravan parade will be held Wednesday, November 21, 2007 beginning at 2:00 p.m. in Spencer and at 3:00 p.m. in Salisbury.

(b) Holiday Night Out

Mayor Kluttz announced that Downtown Salisbury, Inc. will host Holiday Night Out Friday, November 23, 2007 from 5:00 p.m. until 9:00 p.m. in Downtown Salisbury.

(c) Salisbury-Rowan United II

Mayor Kluttz announced that the City of Salisbury will host "Salisbury-Rowan United II: The Next Steps in Creating an Action Agenda for a Safer Community and a Positive Future for our Youth" a follow-up summit on gang and youth violence Thursday, November 29, 2007 at 6:30 p.m. at the Salisbury Civic Center, 315 South Boundary Street.

(d) Project SAFE Neighborhood Holiday Family Day

Mayor Kluttz announced that Project SAFE Neighborhood Holiday Family Day will be held Saturday, December 8, 2007 from 9:00 a.m. until 1:00 p.m. The event is sponsored by the Rowan County United Way and will be held at the J.F. Hurley YMCA located at 828 Jake Alexander Boulevard.

(e) Comments on Downtown Salisbury

Mayor Pro Tem Woodson commented that it is exciting to see the activity taking place in downtown Salisbury at night. Councilman Burgin noted that there are other cities whose downtown areas have become vacant but the City Council for Salisbury has consciously made decisions to keep people downtown and make it viable.

(f) Mark Wineka – WFAE

Mayor Kluttz noted that Salisbury Post reporter Mark Wineka participated in a radio interview with WFAE and she commended him for his comments regarding Salisbury.

(g) Councilman Lewis – Urban Land Institute Panel

Councilman Lewis announced that he has been invited to serve on a panel discussion sponsored by the Urban Land Institute and American Leadership Forum on Tuesday, November 27, 2007.

(h) Charlotte Light Rail Ribbon Cutting

Mayor Kluttz announced that she was invited to the ribbon cutting event for light rail in Charlotte along with other mayors from the Metropolitan Coalition. She noted that a study will be performed regarding light rail from Charlotte to the University of North Carolina at Charlotte. She added that the mayors in the Metropolitan Coalition are in favor of exploring all types of rail as an alternative for transportation problems.

**ADJOURNMENT**

**Motion** to adjourn the meeting was made by Mr. Woodson, seconded by Mr. Burgin. All council members agreed unanimously to adjourn. The meeting was adjourned at 6:47 p.m.

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Mayor

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City Clerk