REGULAR MEETING

PRESENT: Mayor Pro Tem Maggie A. Blackwell; Presiding; Council Members Karen Kirks Alexander, William (Pete) Kennedy, and William Brian Miller; City Manager W. Lane Bailey; City Clerk Myra B. Heard; and City Attorney F. Rivers Lawther, Jr.

ABSENT: Mayor Paul B. Woodson, Jr.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The invocation was given by Councilmember Kennedy. The meeting was called to order by Mayor Pro Tem Blackwell at 4:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Blackwell led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Pro Tem Blackwell welcomed all visitors present.

PROCLAMATIONS

Mayor Pro Tem Blackwell proclaimed the following observances:

- BETA SIGMA PHI WEEK  April 27 – May 1, 2015
- PUBLIC SERVICE RECOGNITION WEEK  May 3-9, 2015
NATIONAL DAY OF PRAYER May 7, 2015
NATIONAL POLICE WEEK May 10-16, 2015
ROWAN BLUES AND JAZZ SOCIETY DAY May 16, 2015
ARMED FORCES DAY May 16, 2015
COMMUNITY ACTION MONTH May 2015
LYME DISEASE AWARENESS MONTH May 2015

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of April 21, 2015.

(b) Budget Ordinance Amendment – Water Tap Fees

Adopt a Budget Ordinance amendment to the FY2014-2015 budget in the amount of $140,000 to appropriate water tap fees.

ORDINANCE AMENDING THE 2014-15 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE WATER TAP REVENUES.

(The above Ordinance is recorded in full in Ordinance Book No. 25 at Page No. 21, and is known as Ordinance 2015-11)

Thereupon, Ms. Alexander made a motion to adopt the Consent Agenda as presented. Mr. Miller seconded the motion. Messrs. Kennedy, and Miller, and Mses. Alexander and Blackwell voted AYE. (4-0)

SUP-01-2015 – 110 SOUTH MAIN STREET

SUP-01-2015 – 110 South Main Street

(a) Swearing In

Mayor Pro Tem Blackwell indicated anyone who wished to speak for or against this item must be sworn in, and she asked those who would like to speak to come forward. She administered the oath to the following:

Mr. David Phillips
Ms. Leslie Catalado

(b) Ex Parte Disclosure

Mayor Pro Tem Blackwell asked Council members if anyone had knowledge of this case they wished to disclose. There were no ex parte disclosures.
Zoning Administrator David Phillips indicated the Special Use Permit (SUP) is for property located at 110 South Main Street. He noted the SUP would allow the sale and on-site consumption of alcohol. He stated the Land Development Ordinance (LDO) defines the use as a bar/tavern/night club because the location is not associated with a restaurant. He explained a business that sells alcoholic beverages for on-site consumption and is not associated with a restaurant must go through the SUP process.

Mr. Phillips noted the property is zoned Downtown Mixed-Use (DMX) and is in a Local Historic Overlay (LHO) District.

Mr. Phillips reviewed the production of evidence:

- The burden is on the applicant to present sufficient evidence to allow the board to make findings that the required standards will be met
- The burden is on an opponent to present sufficient evidence that a standard will not be met
- If insufficient evidence is presented that the required standards will be met, then the SUP must be denied
- If uncontradicted evidence is presented that all of the standards will be met, then the SUP must be issued
- If uncontradicted evidence is presented that even one of the general or specific standards will not be met, then the SUP must be denied
- If there is conflicting evidence, the board decides what the facts are and decides accordingly

Mr. Phillips presented the standards for decision required for the SUP:

1. The use meets all required principles and specifications of the Ordinance and any adopted land use plans and is in harmony with the general purpose and intent and preserves its spirit; and
2. The proposed plan as submitted and approved will be visually and functionally compatible to the surrounding area; and
3. The public health, safety, and welfare will be assured and the proposed development will not substantially injure the value of adjoining property and associated uses if located where proposed
4. No such facility shall be located within five hundred feet of any lot containing a school

Mr. Phillips testified that there is no school located within 500 feet of the location.

Mr. Phillips noted the proposed site is located in the 100 block of South Main Street. He displayed a map of the area, and he pointed out the proposed site and its proximity to the City Square. He also displayed photographs of the establishment and surrounding businesses.
Mr. Phillips commented SUPs are associated with the property and not the business. He explained the property is home to the Literary Book Post and if it moved out of its current location, the SUP would remain in place.

Mr. Phillips noted no changes would be made to the exterior of the building. He pointed out a small enclosed patio to the rear of the property would be used for outdoor seating. He commented no one presented evidence that the proposed SUP would lower the value of surrounding properties. He explained the proposed use would be secondary to retail sales, and would be an ancillary use for special events.

(c) Mayor Pro Tem Blackwell convened a public hearing, after due notice thereof, to receive testimony regarding SUP-01-2015.

Ms. Leslie Catalado, 409 Fourth Street, Spencer stated as manager of the book store she supports the request. She commented the sale of alcohol would help the bookstore compete with bookstores in the area that serve beer, wine, food, and coffee. She pointed out the request is to serve beer and wine for book clubs and special events. She noted the facade of the book store would not change, and the locked patio area will be comfortable and friendly. She stated bookstore staff would be trained regarding ABC rules and regulations. She added the sale of alcohol would enhance the business and be a nice addition to downtown.

There being no one else present to give testimony, Mayor Pro Tem Blackwell closed the floor.

Councilmember Miller stated he had no issues with the use. He pointed out the business owner would have to comply with all ABC licenses and permits. He added alcohol sales would be a secondary use to retail sales and would complement the business.

Councilmember Alexander noted she also supports the request, and she pointed out alcohol is sold across the street at Salisbury Square Antiques.

Thereupon, Mr. Miller made a motion for the following Findings of Fact:

A. The use meets all required principles and specifications of the Ordinance and any adopted plans and is in harmony with the general purpose and intent and preserves its spirit as evidenced by the following testimony:

- The site characteristics currently fit within the surrounding area
- The planned use as a small wine shop, seller of beer and wine is compatible with the current business and surrounding businesses
- The proposed use is in no way intended to be a bar for the general public
B. The proposal as submitted and approved will be visually and functionally compatible to the surrounding area as evidenced by the following testimony:

- The use will be located within an existing commercial building that is visually and functionally compatible to the surrounding area
- Serving of alcoholic beverages will be conducted during the business hours only
- Beer and wine consumption will be allowed in-store and in an enclosed patio area behind the business

C. The public health, safety and welfare will be assured, and the purposed development will not substantially injure the value of adjoining property and associated uses if located where proposed as evidenced by the following testimony:

- ABC laws and regulations have been studied and reviewed and will be strictly abided by
- No evidence has been submitted by a qualified, licensed property appraiser indicating that this, or other uses with alcohol sales, has been injurious to surrounding property values
- Sales will primarily be during special events within the store where normal traffic is expected in the downtown area
- The applicant has been evaluated by the Salisbury Police Department and they found the applicant to be compliant with all mandates and criteria from the Local Law Enforcement phase

D. The proposed establishment is not located within five hundred feet of any lot containing a school, public or private.

Mr. Miller stated the suggested findings support the general requirements as required by the Salisbury Land Development Ordinance. Ms. Alexander seconded the motion. Messrs. Kennedy, and Miller, and Mses. Alexander and Blackwell voted AYE. (4-0)

Thereupon, Mr. Miller made a motion to issue a Special Use Permit SUP-01-2015 allowing for onsite alcohol sale and consumption of alcoholic beverages at 110 South Main Street based on all general standards of the Salisbury Land Development Ordinance having been met. Ms. Alexander seconded the motion. Messrs. Kennedy, and Miller, and Mses. Alexander and Blackwell voted AYE. (4-0)

**TREE MANAGEMENT**

Mr. Rodney Queen, Tree Board Chair, and Mr. Don McSween, retired arborist for the City of Charlotte, addressed Council regarding Charlotte’s tree management practices. Mr. Queen explained Mr. McSween addressed the Tree Board and was invited to return and address Council.
Mr. McSween noted the City of Charlotte’s Tree Ordinance:

- Governs private property and public trees
- Requires tree preservation and planting of
  - Commercial sites
  - Multi-family sites
  - Single-family subdivisions

Mr. McSween indicated Charlotte’s Engineering and Property Management oversees:

- Tree management
- Right-of-way maintenance
- Landscape maintenance
- CATS maintenance and development
- Capital improvement design
- Cemeteries

Mr. McSween added Charlotte’s street tree maintenance in-house crews receive 1,600 to 1,800 work requests annually. He noted in-house pruning crews use three bucket trucks and two conventional trucks to:

- Prune dead limbs out of street trees
- Clear street lights, traffic signals, and traffic signs
- Clear sight distance hazards
- Provide emergency on-call service

Mr. McSween stated the City of Charlotte uses private contractors for approximately 60 percent of its street tree maintenance:

- Large tree removal
- Systematic pruning street-by-street
- Reduced travel time
- Most efficient way to prune
- Removed over 300 street trees annually due to
  - Age of Trees
  - Root and heart rot
  - Lightning
  - Unknown damages

Mr. McSween reviewed the City of Charlotte’s street tree planting:

- Street tree replacement planting
- 1,100 street trees planted annually by Tree Management
  - Supplied and planted by landscape contractors
- Gained approximately 4,000 new street trees per year
Mr. McSween explained when tree roots damage a sidewalk the new sidewalk would include rebar which improves flexibility without harming the tree. He reviewed the City of Charlotte's street tree inventory:

- 158,000 street trees identified and inventoried
  - 88 percent
- 180,000 estimated street trees

Mr. McSween indicated root rot is the biggest contributing factor to the loss of older trees. He pointed out the sidewalks in uptown Charlotte are suspended to allow tree roots room to grow. He noted the City of Charlotte’s Tree Management Budget is approximately $3.3 million:

- $4.25 per person in the city
- $18.34 per street tree

Mayor Pro Tem Blackwell asked how the City of Charlotte funded its tree inventory. Mr. McSween stated the tree Inventory was funded through operational funds. Ms. Blackwell thanked Mr. McSween for his presentation.

Councilmember Kennedy asked Mr. McSween if the City of Charlotte inventoried public and private trees. Mr. McSween noted only trees in the public right-of-way were inventoried.

Mr. Kennedy thanked Mr. McSween for his presentation, and he noted the Tree Board thought it was important for Council to hear about tree preservation practices from other cities.

**DOWNTOWN RESIDENTIAL PARKING PROGRAM**

Downtown Salisbury, Inc. Executive Director Paula Bohland and Planning and Development Services Director Preston Mitchell addressed Council regarding a proposed downtown residential parking program. Ms. Bohland provided an overview of downtown parking:

- Approximately 1,330 parking spaces are in the Municipal Service District (MSD) within three directional blocks of the Square
- 60 percent allow all-day parking
- The remaining parking spaces allow two-hour parking during the hours of 8:00 a.m. until 5:00 p.m.

Mr. Mitchell reviewed a map of the parking inventory. He noted two parking lots offer free all-day parking: one behind City Hall and one along Depot Street. He pointed out the parking lot behind the Bernhardt Building has a two-hour parking restriction.
Ms. Bohland noted downtown housing development strengthens the local economy:

- Stakeholders benefit when upper-floor space becomes residential housing units
- There are indirect gains to the economy
- Fits with trends for urban residential movements
  - Millennials and empty-nesters are moving to urban-residential areas

Ms. Bohland explained a couple living downtown would spend $11,500 annually in the downtown if services are available. She added 20 couples would spend approximately $230,000 annually in the downtown.

Ms. Bohland reviewed the Downtown Housing Initiative Council approved in the fall:

- As of April 2015 more than $1.2 million in private investment has repurposed buildings with upper level residential housing
- Six new apartments are located within four blocks of the Square
- Several additional projects will come before Council in the future

Ms. Bohland indicated an additional need for parking has been identified in the downtown. She stated a task force reviewed best practices from other downtowns with residential housing and it determined:

- Minimize impact to retail and service industries
- Provide designated parking areas where a residential parking pass could be used instead of dedicated parking spaces in active commercial zones

Mr. Mitchell noted preliminary discussion determined the parking program should be administered through the One Stop Shop. He presented the following solutions:

- Issue a Downtown Parking Tag to be used in designated lots/areas
- Issued on an annual basis for calendar year
  - One tag per household
- Provides the resident exemption from two-hour parking limitations in designated downtown lots
- A map of all available parking would be offered to residents
  - Free lots
  - Private lots
  - Resident parking sticker lot
- Minimize impact on downtown parking needs
- Recognize the limitations of public funds to provide residential parking

Ms. Bohland indicated impact to retail and commercial parking must be minimized:

- High parking turnover and availability of parking spaces is needed to support commercial and retail markets
- Tag recognized in designated lots and parking areas only
- Residents would be encouraged to utilize the private marketplace

Mayor Pro Tem Blackwell asked for clarification regarding the sectors that were represented on the task force. Ms. Bohland stated representatives from the Historic Salisbury Foundation (HSF), DSI, local merchants, city staff, a downtown resident, and a developer participated on the task force. Mr. Mitchell pointed out he participated along with Planning and Development Services Manager Janet Gapen and City Engineer Wendy Brindle.

Councilmember Alexander asked if a loading zone has been considered for downtown residents to unload their vehicles. Ms. Bohland stated a 15-minute loading zone for the Bernhardt Building is being considered. City Manager Lane Bailey commented two parking spaces were approved this week to be designated as 15-minute loading zones.

Councilmember Miller noted the presentation before Council is preliminary, and he asked when a more detailed plan would be presented. Mr. Mitchell stated the goal was to present the idea and seek feedback and direction from Council.

Mr. Mitchell stated the parking practices presented are typically offered in small to medium cities. He explained many larger cities provide on-site parking.

Councilmember Miller stated if Council is going to encourage downtown residential development, the parking situation must be addressed. He recommended the task force work with Council on the proposal.

Mr. Miller requested members of Council have an opportunity to review the draft and make comments and recommendations before the proposal is brought back to Council. He asked if the draft recommendation could be ready in 60 days, and he offered to participate in the discussions.

Mr. Mitchell stated the task force could bring its recommendations back to Council in 60 days, but the proposal may not be ready for adoption. Mr. Miller noted Council needs a formalized document it can bring to a vote.

Ms. Bohland pointed out the initiative to address parking issues is critical to future downtown development. Ms. Alexander asked if there is a matrix regarding timeframes when parking would be easier to accommodate, such as after 7:00 p.m., and promotes designated parking zones for evening parking that are closer to the residential areas. She pointed out downtown residents tend to walk more and typically do not have a garage. Ms. Bohland noted the task force has considered time zone parking.

Mr. Miller asked if the LDO allows for multi-family developments to be built above ground parking in underutilized areas of the City. He pointed out the City has downtown development that does not require parking. He indicated parking must be taken into consideration for new development, and he questioned if the LDO has parking requirements.
Mr. Mitchell stated the Ordinance does not require off-street parking in the DMX district. He noted base zone parking could be considered in areas beyond the immediate downtown as opposed to the DMX district. He pointed out the Code is working well, and if a developer presented a plan with one or two floors of vertical parking it could be constructed as part of the development proposal. Ms. Alexander indicated street-level parking would require façade treatment with pedestrian intersections.

Mr. Miller added developments of certain size may require different parking recommendations. He pointed out the Central School Office Building included parking in its design even though the Ordinance does not require it. He indicated he would rather the LDO require parking if the proposed development is above a certain size.

Mayor Pro Tem Blackwell noted Council has received letters from citizens regarding downtown parking and the need for the proposal to align with the Downtown Master Plan.

Thereupon, Mr. Kennedy made a motion to direct staff to continue work on a residential parking program and return at a later date with a final proposal. Ms. Alexander seconded the motion. Messrs. Kennedy, and Miller, and Mses. Alexander and Blackwell voted AYE. (4-0)

TRAFFIC CONTROL RECOMMENDATIONS – INTERSECTION OF JAKE ALEXANDER BOULEVARD AND MORLAN PARK ROAD

City Engineer Wendy Brindle addressed Council regarding traffic control recommendations for the intersection of Jake Alexander Boulevard and Morlan Park Road. She indicated approximately 15,000 vehicles per day travel this section of Jake Alexander Boulevard. She pointed out approximately 645 vehicles use Morlan Park Road as a cut-through between Jake Alexander Boulevard and Faith Road.

Ms. Brindle reviewed a timeline of events:

- 2003 – North Carolina Department of Transportation (NCDOT) began discussions regarding accident concerns at the intersection
- 2007 – Council considered recommendations
  - Public hearing conducted
  - Council decided to clear sight distances and continue evaluation
- Accident frequency continues
  - 2008: 9 angle-type accidents
  - 2009: 2 angle-type accidents
    - One fatality
  - 2010: 5 angle-type accidents
  - 2011: 3 angle-type accidents
  - 2012: 1 angle-type accident
  - 2013: 4 angle-type accidents
    - One evident injury
2014: 8 angle-type accidents
  - Two evident injury/one disabling injury

Ms. Brindle explained an intersection warrants treatment if five or more angle-type accidents occur within a 12-month period. She stated staff sent its data to NCDOT who recommended a directional median. She pointed out a directional median was considered in 2007, but NCDOT did not have a preliminary design.

Ms. Brindle stated a directional median would allow vehicles traveling on Jake Alexander Boulevard to make a left turn onto Morlan Park Road, but it would prevent vehicles approaching Jake Alexander Boulevard from Morlan Park Road from crossing the road or turning left. She clarified there would be a right turn only from Morlan Park Road onto Jake Alexander Boulevard. She pointed out the directional median would not block driveways along Jake Alexander Boulevard.

Ms. Brindle noted at the public hearing in 2007 residents expressed concern that drivers would have to take a different route to their destination if the directional median was installed. She pointed out taking a left turn onto Jake Alexander Boulevard from Morlan Park Road to reach Faith Road is about one-half mile and takes approximately one minute to drive. She noted an alternate route would add approximately 1.4 miles and two minutes to the time it takes to reach Faith Road. She stated on the south leg of Morlan Park Road the alternate route would be approximately two miles and take approximately three minutes to travel. She pointed out it took staff approximately three minutes and twenty seconds to actually drive the route. She added if the directional median is installed, NCDOT would improve the traffic signal at the intersection of Faith Road and Jake Alexander Boulevard to include a protected left turn.

Ms. Brindle noted a directional traffic median:

- Pros:
  - Eliminates prevalent accident pattern completely
  - Reduces cut-through traffic on Morlan Park Road
  - Adds protected left-turn at existing traffic signal at Faith Road
  - Allows left-turns from Jake Alexander Boulevard onto Morlan Park Road in a protected lane
  - Protects the integrity of Jake Alexander Boulevard, a major thoroughfare in the City
- Cons:
  - Forces residents to take longer route by eliminating through and left-turn movement from side street
Ms. Brindle added area residents prefer a traffic signal, and she reviewed its pros and cons:

- **Pros:**
  - Eliminates prevalent accident pattern
  - Least impact to travel times
  - Allows full movement at the intersection

- **Cons:**
  - Increases rear-end collision incidents
  - Potentially increases cut-through traffic on Morlan Park Road
  - Causes delay for 15,000 vehicles per day on a major thoroughfare
  - Signal conflicts with existing railroad track and would require railroad preemption at minimum
  - $3,500 yearly maintenance costs plus special equipment maintenance
  - No funding for upgrades to the existing traffic signal at the intersection of Jake Alexander Boulevard and Faith Road

Ms. Brindle reviewed the NCDOT and staff recommendation:

- Directional median
- NCDOT would submit a request for Spot Safety Funds
- $400,000 estimated cost
- Must compete with other Spot Safety projects throughout the State

Councilmember Kennedy stated the last public hearing was held in 2007. He asked how staff would notify residents of the additional travel times if the directional median is installed. Ms. Brindle noted if the directional median is installed, letters would be mailed to residents to explain the project and neighborhood meetings would be held.

Councilmember Alexander asked if a public hearing would be required. Ms. Brindle commented a public hearing would not be required. She explained a public hearing was held in 2007 because it was the first time a treatment was considered for the intersection of Jake Alexander Boulevard and Morlan Park Road. She pointed out residents prefer a traffic signal to a directional median because of the unlimited movement.

Councilmember Miller indicated the intersection of Jake Alexander Boulevard and Morlan Park Road needs treatment. He stated a directional median would solve the problem while also taking the railroad into consideration.

Mayor Pro Tem Blackwell asked if signs could be installed on Jake Alexander Boulevard and Morlan Park Road pointing out the new traffic pattern. Ms. Brindle noted Morlan Park Road is maintained by the City so any signage deemed appropriate could be installed.

Ms. Alexander pointed out crossing Jake Alexander Boulevard from Morlan Park Road takes longer than the three minutes needed to drive the proposed route. She added she supports NCDOT’s recommendation for a directional median.
Mayor Pro Tem Blackwell asked if traffic using Gold Hill Drive as a cut-through to get to Faith Road could create another traffic issue. Ms. Brindle stated an increase in traffic would depend on the driver’s destination. She noted residents and locals use Gold Hill Drive as a cut-through to Faith Road.

Mr. Miller noted citizens requested sidewalks on Gold Hill Drive, and he asked if there are plans for sidewalks in the area. Ms. Brindle indicated there are no plans for sidewalks along Gold Hill Drive. Mr. Miller pointed out Gold Hill Drive has cut-through issues and pedestrian safety concerns. He added there could be ancillary consequences to the installation of a directional median, but the existing traffic conditions must be addressed. He commented if the directional median creates additional traffic concerns, they will also be addressed. He asked if NCDOT would consider the intersection of Faith Road and Gold Hill Drive for protected lane improvements. Ms. Brindle stated staff will contact NCDOT regarding traffic issues on Gold Hill Drive.

Mr. Miller asked if Council would like public input before it makes a decision. Mr. Kennedy stated he supports the directional median, but citizens should be notified if it is installed.

Ms. Blackwell noted if Council approves the directional median the project would compete with other communities for Spot Safety Funding. She asked if NCDOT would consider the volume of accidents and the number of injuries and fatalities. Ms. Brindle stated NCDOT would take the accidents and the severity of those accidents into consideration.

Thereupon, Mr. Miller made a motion to approve the installation of a directional median at the intersection of Jake Alexander Boulevard and Morlan Park Road. Mr. Kennedy seconded the motion. Messrs. Kennedy, and Miller, and Mses. Alexander and Blackwell voted AYE. (4-0)

Ms. Brindle asked if Council would like staff to send notification to the neighborhood before the project receives NCDOT funding. Mr. Kennedy stated he feels the neighbors should be notified once the City receives funding. Ms. Brindle noted staff will notify the neighborhood once the project receives funding.

**UPDATE – SALISBURY HISTORIC DISTRICT DESIGN GUIDELINES**

Planner Catherine Garner noted the Historic Preservation Commission (HPC) has completed updates to the Salisbury Historic District Design Guidelines. She noted there are currently two sets of guidelines: Residential and Non-Residential. She noted:

- Residential Design Guidelines were adopted July 1993
- Non-Residential Design Guidelines were adopted in 2001
- Guidelines cover exterior of the building and the property, but do not cover interior changes
Ms. Garner noted Design Guidelines have three levels of review:

- Minor Works staff considers repairs or replacements with no changes to materials, design, color, dimension, etc.
- Minor Works Committee considers small changes to exteriors, such as signage, painting, sidewalks, patios, etc.
- Major Works that go the HPC considers larger-scale changes that affect the historic fabric of the building, such as windows, siding, new construction, etc.

Ms. Garner noted the City has 10 National Register Historic Districts which are honorary designations. She added the HPC gains jurisdiction when historic districts are identified as Local Historic Districts. She pointed out the City has five Local Historic Districts: the West Square, North Main Street, Ellis Street Graded School, Brooklyn South Square, and the Downtown.

Ms. Garner noted in 2013 the City received a Certified Local Government (CLG) Grant from the North Carolina Historic Preservation Office. She explained grant monies were used to hire a consultant, and she added the HPC began reviewing and fine-tuning the guidelines in the fall of 2014.

Ms. Garner reviewed the current and proposed guidelines:

- Current guidelines
  - 17 items approved by staff
  - 15 items approved by Minor Works Committee
- Proposed guidelines
  - 15 routine maintenance and repair items would not require a Certificate of Appropriateness (COA)
  - 24 items approved by staff would require a COA
  - 2 items approved by Minor Works Committee would require a COA

Ms. Garner explained the goal is to help citizens maintain their historic homes. She stated the last Major Works Guidelines update was completed in 1993. She pointed out the updated guidelines include new materials and technology requested by citizens. She indicated major works projects must go before the HPC since the project could affect the historic integrity of the building:

- Projects considered major works alter the exterior of the property beyond normal maintenance or exact replacements
- Major works could alter the historic fabric of the building, such as window replacement, exterior cladding replacement, or changes to roof material
- New Major Work Guidelines focus on clarity of impact to properties, energy efficiency, appropriate paint colors by architecture style, and additions
Ms. Garner noted the impact of the Salisbury Historic District Design Guidelines:

- Clarity
  - Guidelines are detailed and provide information regarding how to care for a historic building
- Efficient
  - Staff review means only the biggest exterior changes are reviewed by the entire Commission
- Modern
  - Guidelines balance historic preservation with modern technology and energy efficiency

Ms. Garner asked Council to consider setting a public hearing for May 19, 2015 to receive comments regarding updates to the Salisbury Historic District Design Guidelines. She noted draft copies of the proposed guidelines are available for public review on the City’s website and at the One Stop Shop.

Thereupon, Mr. Miller made a motion to set a public hearing for May 19, 2015 regarding updates to the Salisbury Historic District Design Guidelines. Ms. Alexander seconded the motion. Messrs. Kennedy, and Miller, and Mses. Alexander and Blackwell voted AYE. (4-0)

POLICY – CLOSED SESSION MINUTES AND GENERAL ACCOUNTS

City Clerk Myra Heard noted staff recently researched City records and found a formal policy regarding Closed Session Minutes had not been adopted. She stated after reviewing best practices among North Carolina municipalities, staff recommends Council adopt a Resolution establishing a formal policy for Closed Session Minutes.

Ms. Heard explained the City Clerk, City Manager, and City Attorney would review Closed Session Minutes at least annually and unseal Minutes that no longer frustrate the purpose of the closed session. She indicated North Carolina General Statutes allow some Closed Session Minutes to remain permanently sealed such as personnel matters, and certain attorney-client privilege discussions. She added staff recommends adoption of a Resolution establishing a policy for approval and opening of Closed Session Minutes.

Thereupon, Ms. Alexander made a motion to adopt a Resolution to establish policy for approval and opening of Closed Session Minutes and General Accounts. Mr. Miller seconded the motion. Messrs. Kennedy, and Miller, and Mses. Alexander and Blackwell voted AYE. (4-0)

RESOLUTION TO ESTABLISH POLICY FOR APPROVAL AND OPENING OF CLOSED SESSION MINUTES AND GENERAL ACCOUNTS.

(The above Resolution is recorded in full in Resolution Book No. 15 at Page No. 9, and is known as Resolution 2015-08)
MODIFICATIONS – FATS, OILS AND GREASE (FOG) CONTROL PROGRAM

Fat, Oils, and Grease (FOG) Coordinator Teresa Barringer and Salisbury Rowan Utilities (SRU) Director Jim Behmer addressed Council regarding FOG modifications. Ms. Barringer noted improperly managed fats, oils and grease can block wastewater collection and treatment systems. She explained FOG blockages can also harm public health, the environment, and increase drainage line operating costs. She added the FOG program reduces the damage caused by fats, oils, and grease, and educates the public regarding proper handling of grease in a home.

Ms. Barringer noted Council adopted the FOG Control Program April 7, 2009. She added staff spent the next three years educating existing food service providers through on-site visits, personal interaction, and residential education. She explained staff identified low-impact facilities that warm and cool foods such as delis, ice cream parlors, coffee shops, and convenience stores. She indicated staff is requesting low-impact facilities be identified as Level I Food Service Establishments, and their grease interceptor pumping requirement be extended to 120 days. She pointed out the current requirement is every 90 days. She noted customers with interior grease traps are currently required to pump every 30 days, and she added the proposal is to extend the pumping requirement to every 60 days for Level I Food Service Establishments. She indicated the foods are typically pre-cooked and warmed, and she noted the modifications would provide a cost savings to customers.

Mr. Behmer pointed out SRU is one of the few facilities that conduct site visits. He added the modifications provide a business friendly approach that eliminates unnecessary pumping.

Ms. Basinger stated the remaining Level II Food Service Establishments that prep and cook food would remain on their current 90 day pumping schedule, and 30 day pumping schedule for interior grease traps.

Ms. Basinger pointed out staff recommends sending a letter to facilities identified as Level I Food Service Establishments that specifies the criteria for the new pumping frequency which would go into effect July 1, 2015.

Councilmember Miller asked how many customers will be affected by the change. Ms. Basinger stated 50 to 75 facilities would be affected by the FOG modifications, and she pointed out staff will visit the facilities to confirm their parameters. Mr. Behmer added SRU serves approximately 300 food service facilities.

Thereupon, Ms. Alexander made a motion to approve modifications to the Fats, Oils, and Grease (FOG) Program guidelines as presented. Mr. Miller seconded the motion. Messrs. Kennedy, and Miller, and Mses. Alexander and Blackwell voted AYE. (4-0)

Ms. Basinger introduced the new Greasy mascot to Council.

Mayor Pro Tem Blackwell thanked Ms. Basinger and Mr. Behmer for their presentation.
APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Human Relations Council

Upon a motion by Ms. Alexander, seconded by Mr. Kennedy, and with Mr. Miller and Ms. Blackwell voting AYE, the following appointment was made to the Human Relations Council:

Rev. Dr. David McLean Term Expires 03/31/18

Zoning Board of Adjustment

Upon a motion by Ms. Alexander, seconded by Mr. Miller, and with Mr. Kennedy and Ms. Blackwell voting AYE, the following appointments were made to the Zoning Board of Adjustment:

Mr. Mike Hallett Term Expires 03/31/18

CITY MANAGER’S COMMENTS

(a) Third Quarter Financial Update

City Manager Lane Bailey asked Financial Services Manager Teresa Harris to present the third quarter financial update.

Ms. Harris noted property tax revenues for the third quarter remain steady, and the City could receive $90,000 dollars above projections for the current fiscal year. She pointed out a County-wide tax re-evaluation will take place next year. She referenced property tax values for the third quarter and noted $2.625 million is budgeted, $2.782 million had been billed, and $2.796 million is projected to be billed.

Ms. Harris reviewed sales tax revenues for the third quarter, and she pointed out growth from last year. She noted staff is projecting an increase in sales tax receipts at the end of the year which indicates an improvement in the local economy.

Ms. Harris reviewed State franchise tax receipts through the third quarter. She noted the total collection should be over budget. She commented in the last fiscal year $1.3 million in State franchise tax was received in the last two distributions and hopefully the trend will continue. She indicated staff will receive the third installment in June 2015, and the fourth installment will be accrued for the fiscal year.

Ms. Harris stated General Fund revenue is at 78 percent, or $28,882,616, of the projected $36,881,327 received, and 65 percent, or $23,900,451, expended.
Ms. Harris reviewed the Water and Sewer Fund revenue for the third quarter and the monthly usage trend. She explained Water and Sewer Fund revenue is at 78 percent received, or $17,846,042, of the budgeted $22,755,457. She noted the Water and Sewer Fund is at 61 percent expended, or $13,819,415, of the budgeted $22,755,457. She pointed out debt service payments of approximately $2.9 million will be due in the fourth quarter.

Ms. Harris stated Fibrant has experienced consistent growth. She reviewed the average revenues per user. She explained Fibrant has received revenue of $4,673,787 and expenditures are at $5,081,320. She pointed out a slight loss due to the debt service payment of $2.4 million. She noted Fibrant continues to add to its customer base.

Ms. Harris stated Transit fare revenues are at 57 percent, or $66,792, of the budgeted $118,000. She indicated Transit Manager Rodney Harrison is investigating why the City has not received the transit revenue it projected. She noted expenditures are at 64 percent, or $713,547, of the budgeted $1,116,936 for the third quarter.

Ms. Harris reviewed the Stormwater budget for the third quarter. She noted revenue is at 76 percent billed, or $866,002, of the budgeted $1,146,583 and expenditures are at 61 percent, or $695,067.

Ms. Harris pointed out staff is monitoring revenues and expenditures very closely for all funds.

(b) FY2015-2016 Budget

City Manager Lane Bailey stated he is working with staff on the Budget, and he plans to present a balanced budget to Council for its consideration in two weeks. He added staff has some significant challenges to overcome. He pointed out the loss of Business Privilege License equals $1.18 of the property tax rate, and he does not anticipate the State replacing the lost revenue.

(c) Lighting – Old Concord Road

City Manager Lane Bailey indicated he met with North Carolina Transportation Board Member Jake Alexander on a variety of issues including Old Concord Road. He noted, at the suggestion of Mr. Alexander, a letter was sent to North Carolina Department of Transportation (NCDOT) Division Engineer Pat Ivey requesting $45,000 for installation of lights under the I-85 Bridge on Old Concord Rd. He added the request will be made at the NCDOT June Board meeting, and he noted Mr. Alexander is optimistic NCDOT will support the request. He pointed out the total cost of the project including sidewalks is $500,000, but the City may receive some help with the project due to safety concerns.

Mayor Pro Tem Blackwell pointed out Council has worked with Mr. Alexander on the Old Concord Road Project for over a year, and she is glad to see the project coming to fruition.

Mr. Bailey stated the project is pending NCDOT Board approval; however, Mr. Alexander was confident NCDOT would approve the request.
(d) Soldiers AME Zion Church

City Manager Lane Bailey noted staff has worked with Soldier’s Memorial AME Zion Church to resolve a stormwater issue. He indicated temporary easements are in place. He thanked Councilmember Alexander for working with the Church regarding contractor pricing, and he noted the issue is close to being resolved. He explained Council previously awarded a $25,000 Stormwater Grant to the Church to cover the cost to infrastructure located outside of the City’s right-of-way. He noted the quotes he has seen are under $25,000.

MAYOR’S ANNOUNCEMENTS

(a) Book Signing- Dear Carolina

Mayor Pro Tem Blackwell announced Mayor Woodson’s daughter Kristy Woodson Harvey’s novel Dear Carolina has been published by a mainstream publisher. A book signing will be held at the Literary Bookpost Saturday, May 9, 2015 from 12:00 noon until 3:00 p.m. The public is invited to attend.

(b) 16th Annual Rowan Blues and Jazz Festival

Mayor Pro Tem Blackwell announced the 16th annual Rowan Blues and Jazz Festival will be held Saturday, May 16, 2015 from 2:00 p.m. until 10:00 p.m. in the Rail Walk Arts District and Ketner Parking lot at Lee and Kerr Streets.

(c) 9th Annual Middle School Prom

Mayor Pro Tem Blackwell announced the Salisbury Parks and Recreation Department will host the 9th Annual Middle School Prom Saturday, May 16, 2015 from 6:00 p.m. until 9:00 p.m. at the Salisbury Civic Center. Tickets are $10 per person and must be purchased in advance. For more information call 704-216-PLAY.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Kennedy seconded by Ms. Alexander. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 5:44 p.m.

[Signatures]

Paul B. Woodson, Jr., Mayor
Myra B. Heard, City Clerk

Salisbury City Council May 5, 2015 Page 19