The City is operating under a State of Emergency declaration related to the spread of COVID-19. The City Council meeting will be held electronically to remain consistent with limiting physical interactions and the potential spread of COVID-19, and Council Chambers will be closed. The meeting will be streamed live at salisburync.gov/webcast and on the City’s Twitter account. Anyone who wishes to speak during public comment must sign-up by 5:00 p.m. on October 19, 2021 by contacting Kelly Baker at kbake@salisburync.gov or 704-638-5233.

1. Call to order.
3. Pledge of Allegiance.
4. Adoption of Agenda.
5. Mayor to proclaim the following observances:
   
   MAKE A DIFFERENCE DAY          October 23, 2021
   NAACP FREEDOM FUND BANQUET DAY  October 23, 2021

6. Council to consider the CONSENT AGENDA:
   
   (a) Adopt Minutes of the Regular meeting of October 5, 2021.

   (b) Authorize a sole source purchase in the amount of $188,302 from Aqua-Aerobic Systems, Inc. for four floating aerator assemblies for use in wastewater treatment. This is a planned expense and funds are included in the FY2021-2022 budget.

   (c) Approve a Stormwater Grant in the amount of $6,500 for improvements to Catawba College. Funds for the grant are included in the FY2021-2022 budget.

7. Council to receive public comment. Public comment will begin following adoption of the Consent Agenda. For electronic meetings speakers must sign-up before 5:00 p.m. by contacting Kelly Baker at kbake@salisburync.gov or by calling 704-638-5233. Citizens who are unable to speak during the meeting may submit written comments by 5:00 p.m. to the email above and they will be shared with Council.

8. Council to consider the voluntary annexation of Grants Landing, 77.803 acres located on parcels 460-162 and 462-006, effective December 31, 2021. (Presenter – City Engineer Wendy Brindle):
   
   (a) Receive a presentation from staff
   (b) Hold a public hearing
   (c) Adopt an ORDINANCE annexing parcels 460-152 and 462-006.
9. Council to consider revisions to the Downtown Revitalization Incentive (DRI) Grant Program. *(Presenter – Community Planning Services Director Hannah Jacobson)*


12. Council’s Comments.

13. Mayor Pro Tem’s Comments.

14. Mayor’s Announcements and Comments.
   
   (a) The next regularly scheduled meeting of City Council will be held Wednesday, November 3, 2021 at 3:00 p.m.

   (b) Parks and Recreation in partnership with Downtown Salisbury, Inc. will host the annual Halloween Fun Fest in downtown Salisbury and Bell Tower Green on Saturday, October 30, 2021 from 5:00 p.m. until 8:30 p.m. There will be trick-or-treating with downtown merchants from 5:00 p.m. until 6:00 p.m., live entertainment and costume contest from 6:00 p.m. until 7:00 p.m., and the movie The Addams Family will be shown from 7:00 p.m. until 8:30 p.m. All activities are free and open to the public. For additional information please call 704-216-PLAY.

15. Adjourn.

*Council meetings are streamed live at [www.salisburync.gov/webcast](http://www.salisburync.gov/webcast)*
PROCLAMATION

WHEREAS, October 23, 2021 is National Make a Difference Day; and

WHEREAS, the BlockWork Neighborhood Improvement Project will be held this year on October 19th on Lowes “Red Vest Day” and October 23rd on “Make A Difference Day”; and

WHEREAS, the Community Appearance Commission of the City of Salisbury initiated BlockWork in 2011 to make a difference in neighborhoods one block at a time; and

WHEREAS, the Housing Advocacy Commission will partner with the Community Appearance Commission for the 2021 BlockWork Project; and

WHEREAS, the 600 and 700 blocks of South Ellis Street were selected as the locations for the 2021 BlockWork events; and

WHEREAS, the Community Appearance Commission and the Housing Advocacy Commission invite all interested citizens to participate in the two-day work event.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury DO HEREBY PROCLAIM Saturday, October 23, 2021 as

MAKE A DIFFERENCE DAY

in Salisbury, and recognize the 600 and 700 blocks of South Ellis Street as the City of Salisbury’s 2021 Make a Difference Day Project, and urge citizens to observe this day by participating in the 2021 BlockWork event.

This the 19th day of October 2021.

Karen K. Alexander, Mayor
City of Salisbury
North Carolina

PROCLAMATION

WHEREAS, the Salisbury-Rowan Branch of the NAACP, also known as the National Association for the Advancement of Colored People, will celebrate its 27th Annual Freedom Fund Banquet on Saturday, October 23, 2021; and

WHEREAS, the organization was founded in 1909 to improve the political, educational, social, and economic status of people of color; and

WHEREAS, since 1909 the organization has demonstrated its commitment to the purpose and aim it was founded upon; and

WHEREAS, the local branch was founded in 1979 and is celebrating its 42nd anniversary this year.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM Saturday, October 23, 2021 as

NAACP FREEDOM FUND BANQUET DAY

in Salisbury, and commend this observance to all of our citizens.

This the 16th day of October 2021.

Karen K. Alexander, Mayor
REGULAR MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Al Heggins, Council Members William Brian Miller, David Post and Tamara Sheffield; City Manager W. Lane Bailey, City Clerk Kelly Baker; and City Attorney J. Graham Corriher.

ABSENT: None.

In response to the State of Emergency declaration related to the spread of COVID-19 and to limit physical interactions and the potential spread of COVID-19 the Salisbury City Council met electronically. The meeting was called to order by Mayor Alexander at 6:00 p.m. A moment of silence was taken.

PLEDGE OF ALLEGIANCE

Mayor Alexander led participants in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VIEWERS

Mayor Alexander welcomed all viewers.

ADOPTION OF THE AGENDA

Thereupon, Mayor Pro Tem Heggins made a motion to adopt the Agenda. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)
PROCLAMATIONS

Mayor Alexander proclaimed the following observances:

<table>
<thead>
<tr>
<th>Observance</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
<td>BREAST CANCER AWARENESS MONTH</td>
<td>October 2021</td>
</tr>
<tr>
<td>NATIONAL BULLYING PREVENTION MONTH</td>
<td>October 2021</td>
</tr>
<tr>
<td>ROWAN COUNTY UNITED WAY MONTH</td>
<td>October 2021</td>
</tr>
<tr>
<td>SUBSTANCE ABUSE PREVENTION MONTH</td>
<td>October 2021</td>
</tr>
</tbody>
</table>

CONSENT AGENDA

(a) Minutes

Adopt Minutes of the Regular meeting of September 21, 2021.

(b) Policy and Procedure for Electronic Meetings

Adopt a Resolution revising the Policy and Procedure for Electronic Meetings to receive public comment 24 hours prior to a public hearing.

RESOLUTION TO REVISE THE POLICY AND PROCEDURE FOR ELECTRONIC MEETINGS OF THE SALISBURY CITY COUNCIL.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 30, and is known as Resolution 2021-25.)

(c) Right-of-Way Use Permit – 115 East Innes Street

Approve a Right-of-Way Use Permit for the use of two parking spaces adjacent to 115 East Innes Street through November 19, 2021 for renovations.

(d) Right-of-Way Use Permit – 121 West Council Street

Approve a Right-of-Way Use Permit for the use of three parking spaces adjacent to 121 West Council Street through September 1, 2022 for renovations.

(e) Right-of-Way Use Permit – 215 DEPOT STREET

Approve a Right-of-Way Use Permit for the use of four parking spaces adjacent to 215 Depot Street through October 16, 2021 for Amtrak ADA upgrades.
(f) **Parking**

Adopt an Ordinance amending Section 13-338 (parking prohibited at all times) for the south side of East Council Street between Depot Street and the railroad tracks and Section 13-357 (parking limited to two hours between 8:00 a.m. and 6:00 p.m.) for the north side of East Council Street between Depot Street and the railroad tracks.

**ORDINANCE AMENDING CHAPTER 13, ARTICLE X, OF THE CODE OF THE CITY OF SALISBURY, RELATING TO PARKING.**

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 150-152 and is known as Ordinance 2021-64.)

(g) **Sale of Parcel – 300 Block of Grim Street**

Authorize the sale of parcel 005-14001, located in the 300 block of Grim Street, to TruLand Development, LLC in the amount of $1,000.

(h) **Unimproved Right-of-Way Closure**

Adopt a Resolution declaring the intent to close an unimproved right-of-way located in the 100 block of West 16th Street and set a public hearing for November 3, 2021.

**RESOLUTION PERTAINING TO THE PROPOSED CLOSING OF THE 100 BLOCK OF WEST 16TH STREET, A 60’ WIDE UNIMPROVED RIGHT-OF-WAY.**

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 31, and is known as Resolution 2021-26.)

(i) **Stormwater Grant – 1801 Bellevue Road**

Approve a Stormwater Grant in the amount of $22,450 for improvements to 1801 Bellevue Road. Funds for the grant are included in the FY2021-2022 budget.

Thereupon, Councilmember Post made a **motion** to adopt the Consent Agenda as presented. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)

**PUBLIC COMMENT**

Mayor Alexander opened the floor to receive public comments.

There being no one to address Council, Mayor Alexander closed the public comment session.
REZONING – 475 FAITH ROAD

Zoning Administrator Teresa Barringer addressed Council regarding a request to rezone one parcel located at 475 Faith Road for the construction of an 11,500 square foot Goodwill retail store. She stated the location will maintain Corridor Mixed-Use (CMX) zoning and apply a Conditional District (CD) Overlay to allow for an alternate design set back as permitted by the Land Development Ordinance (LDO) Section 15.23. She explained the design set back is needed for vehicular clearance of the drive through and for traffic safety.

Councilmember Post stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein, is reasonable and is in the public interest. The proposal is fundamentally consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Policies C-8, C-16, and C-17. Thereupon, Mr. Post made a motion to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina rezoning approximately 1.77 acres located at 475 Faith Road, Tax Map 070 Parcel 012, maintaining the base zoning of Corridor Mixed-Use and creating a Conditional District Overlay for the construction of an 11,500 square foot Goodwill retail store. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA REZONING APPROXIMATELY 1.77 ACRES LOCATED AT 475 FAITH ROAD, TAX MAP 070 PARCEL 012, MAINTAINING THE BASE ZONING OF CORRIDOR MIXED-USE AND CREATING A CONDITIONAL DISTRICT OVERLAY FOR THE CONSTRUCTION OF AN 11,500 SQUARE FOOT GOODWILL RETAIL STORE.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 153-154, and is known as Ordinance 2021-65.)

CITY ATTORNEY’S REPORT

City Attorney Graham explained the General Assembly enacted a new law, which was signed by Governor Cooper on September 10, 2021, that authorizes cities and counties to establish social districts within their jurisdiction. He added social districts are outdoor areas where the consumption of alcoholic beverages are allowed as long as the permittees and patrons abide by the requirements set forth in the legislation. He reviewed the requirements for social districts:

- Map of the social district
- Days and hours when alcohol can be consumed in the social district
- Signage
- “Management and maintenance” plan
- Submit map, days, hours to ABC Commission for review
  - Approval by the ABC Commission is not required
Mr. Corriher explained in order to establish the social district Council must designate the location and create a map of the area. He added Council must specify the days and hours alcohol can be consumed within the district, which must be consistent with alcohol sales in permitted establishments. He pointed out proper signage must be posted to let citizens know if they are inside or outside of the social district area. He indicated Council has to establish a management and maintenance plan. He pointed out there are no specific requirements for the plan other than to protect the public health, safety, and welfare, and he indicated the details are left to the individual jurisdictions. He noted the map, days, and hours must be submitted to the ABC Commission, but the legislation does not require their approval.

Mr. Corriher noted if patrons are outside of an establishment with an alcoholic beverage it must be in a special cup which must be less than 16 ounces and not made of glass. He indicated the City could create a special logo for the social district cup to identify the place of purchase.

Mr. Corriher explained patrons can walk around to the district, but they cannot enter another establishment that sells alcohol with their beverage or any establishment that does not want alcohol in their business. He reviewed requirements for possession:

- Must purchase from within the social district
- Must be in approved cups
- Must comply with days, hours, and location
- Must dispose of drink when leaving the social district to be compliant with open container laws

Mr. Corriher noted a staff review will take place tomorrow and will include Council’s feedback. He stated Downtown Salisbury Inc. (DSI) has assigned a task force to review the proposal, identify community stakeholders, and consider the proposal from a business perspective. He indicated if Council is interested in the proposal, staff will work with the DSI task force to bring a recommendation to Council for its consideration.

Mr. Corriher stated the City of Kannapolis recently adopted a social district. He noted there is no limitation on the size other than it must be within the City’s jurisdiction and creating more than one social distance area is allowed. He explained the City could have multiple social districts as long as it can maintain the requirements.

Councilmember Miller asked if patrons can currently carry an alcoholic beverage from place to place in the downtown. Mr. Corriher noted patrons cannot carry alcohol from place to place.

Councilmember Miller asked which areas of the City are being considered. Mr. Corriher indicated staff can develop a list of areas that may work. He added if multiple districts are considered policing between districts could become an issue. Mr. Miller commented it may be appropriate in certain areas but not the entire Municipal Service District (MSD).
Mayor Pro Tem Heggins asked if criteria for the DSI task force has been established. Mr. Corriher stated he can get the information for Council. Mayor Pro Tem Heggins asked about other advantages to the social districts. Mr. Corriher stated conversations will take place between staff and DSI to determine if social districts would be a driver of business and how it would affect the livability, walkability, and enjoyability of a social district area. He stated how the social district might affect downtown would be considered before a recommendation is brought to Council.

Councilmember Post clarified Mr. Corriher referred to the state ABC Commission in his presentation and not the local ABC board. Mr. Corriher agreed, and he added the local board would not have any rulemaking authority for the social district.

Councilmember Post asked if a patron can purchase an alcoholic beverage and walk five or six blocks with their beverage and then purchase another beverage and continue to walk around the MSD if the whole MSD is selected as a social district. Mr. Corriher explained a patron can only have one beverage at a time and they can walk around the entire social district area. He clarified a patron cannot go in another facility that serves alcohol with their cup unless the cup is empty. Mr. Post asked if each restaurant will have their own cup or if the City will adopt one cup for the entire social district. Mr. Corriher stated the details will be determined.

Councilmember Post noted the drink must be disposed of when leaving the district or when a patron is walking from one restaurant to the next. He asked if a patron must also dispose of the cup and if there will be special receptacles. He then asked if social districts will require more engagement from Public Works, Parks and Recreation, and the Police Department. Mr. Corriher stated the cost to the City will be considered. He added a patron would not have to dispose of the cup, but they would have to dispose of the alcohol before they left the social district.

Mr. Corriher requested feedback from Council regarding social districts.

Councilmember Sheffield stated she is eager to see what DSI and the downtown stakeholders have to say about the proposal. She pointed out restaurants will be accountable for the alcohol they serve to patrons. She thanked Mr. Corriher for his work on the proposal.

Councilmember Post asked if Council will have to decide regarding whether to allow alcoholic beverages in the Bell Tower Green and if special receptacles will be needed. Councilmember Miller noted Parks and Recreation Director Nick Aceves indicated there was a way to allow alcoholic beverages at the park during special events so staff did not want to include it in the social district initially.

Councilmember Miller requested the group consider how the decision will impact restaurants and downtown residences. He suggested the proposal be event based. He added he does not see the need for the entire MSD to be a social district.

Mayor Alexander asked if it would be easier to start out small and then expand the district. She suggested the DSI task force join with a City task force to consider the proposal. Councilmember Post asked if the statute allows for a special tax to help cover additional costs to the City. Mr. Corriher noted it is not permitted as part of the ordinance. He added Kannapolis has
a licensing structure for participating businesses, and he indicated he is not aware of a fee associated with the licensing structure. He explained it will need to be determined if the City has the authority to charge a fee and if it is a good idea from a policy perspective. He commented he does not think a tax would be allowed, but a permit fee for participating businesses may be possible.

Councilmember Post asked if the City would be liable if someone gets hurt in the social district. Mr. Corriher noted staff will reach out to the insurance carrier.

CITY MANAGER’S REPORT

City Manager Lane Bailey reminded Council that the first meeting in November will be held on Wednesday, November 3, 2021 at 6:00 p.m. Councilmember Sheffield asked if the meeting could be moved to 3:00 p.m. due to a personal conflict.

By consensus, Council agreed to change the meeting time to Wednesday, November 3, 2021 at 3:00 p.m.

COUNCIL COMMENTS

Councilmember Post noted the free Wi-Fi offered at the Bell Tower Green will also supply Wi-Fi to churches within reach of the signal. He stated Lexington and other municipalities provide free Wi-Fi throughout their downtown, and he questioned if it might be a possibility for the City.

Councilmember Sheffield noted the Bell Tower Green is a great space that adds a new energy to the area.

Councilmember Sheffield thanked IT Manager Dale Waters for all he does for the City and for keeping Council and staff aware of cyber security.

Councilmember Sheffield asked when Council will receive information regarding the search for the next city manager. City Manager Lane Bailey noted responses to the RFP from recruiting firms should be received by October 14, 2021. He added the responses will be sent to Council and it can determine how it wants to proceed. Councilmember Miller stated he is unable to attend the next Council meeting. Mayor Alexander suggested the information be sent to Council and discussion take place on November 3, 2021.

MAYOR PRO TEM COMMENTS

Mayor Pro Tem Heggins stated the opening of the Bell Tower Green was wonderful. She added she also enjoyed Woodstock, and she thanked Ms. Teresa Pitner for her work to make the event a success. She noted the butterfly release was fantastic. She commented it was a wonderful weekend in the City.
MAYOR’S ANNOUNCEMENTS AND COMMENTS

(a) 11th Annual BlockWork

Mayor Alexander announced the 11th Annual BlockWork neighborhood improvement project will be held Tuesday, October 19, 2021 and Saturday, October 23, 2021. This year’s event will take place in the 600 and 700 blocks of South Ellis Street. Volunteers are needed to help with exterior repairs. T-shirts, gloves, masks, meals and drinks will be provided. To volunteer visit www.salisburync.gov/blockwork by Friday, October 15, 2021.

Mayor Alexander noted it was thrilling to receive the key to the Bell Tower Green during the opening on Friday evening. She added it was exciting to attend the Busker’s Bash and see people, musicians, and dancers throughout the downtown. She stated visitors were thrilled with the new park, and she thanked staff for all it does to provide great service to the citizens of Salisbury.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Post. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0) The meeting was adjourned at 7:04 p.m.

________________________________
Karen Alexander, Mayor

________________________________
Kelly Baker, City Clerk
Requested Council Meeting Date: October 19, 2021

Name of Group(s) or Individual(s) Making Request: Salisbury-Rowan Utilities

Name of Presenter(s): Jason Wilson

Requested Agenda Item: Floating Aerator Assemblies Sole Source Purchase

Description of Requested Agenda Item: In August of 2020, SRU solicited bids for three (3) 75 HP floating aerator assemblies to be used in wastewater treatment. This was intended to be the initial purchase of more than twenty (20) total aerators over a planned five-year period. Aqua-Aerobic Systems, Inc. was the only company that responded to the Invitation to Bid last year. Due to the previous lack of responsive bidders and a preference to standardize equipment for operation and maintenance purposes, SRU directly solicited a proposal from Aqua-Aerobic Systems, Inc. for an additional four (4) 75 HP floating aerators. The proposed price is $188,302, which includes the addition of draft tubes that were not present in the FY21 bid specifications. The FY22 unit pricing is less than the FY21 bid pricing if the draft tubes are not included. Therefore, SRU requests authorization to proceed with a sole source purchase from Aqua-Aerobic Systems, Inc. of four (4) 75 HP floating aerator assemblies for use in wastewater treatment.

North Carolina General Statute 143-129(e)(6) allows for “Purchases of apparatus, supplies, materials, or equipment when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration. Notwithstanding any other provision of this section, the governing board of a political subdivision of the State shall approve the purchases listed in the preceding sentence prior to the award of the contract.”

Attachments: Yes  No

Fiscal Note: Sufficient funds have been appropriated in SRU’s FY22 budget for this planned expense.

Action Requested of Council for Agenda Item: Council to consider authorizing a sole source purchase from Aqua-Aerobic Systems, Inc. of four (4) 75 HP floating aerator assemblies for use in wastewater treatment in the amount of $188,302.

Contact Information for Group or Individual: Jason Wilson, Assistant Utilities Director  
704-216-7553, jason.wilson@salisburync.gov

☐ Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

☐ Regular Agenda (item to be discussed and possibly voted on by Council)
Salisbury City Council
Agenda Item Request Form

FINANCE DEPARTMENT INFORMATION:

[Signatures]

Finance Manager Signature

Department Head Signature

Budget Manager Signature

****All agenda items must be submitted at least 7 days before the requested Council meeting date***

For Use in Clerk’s Office Only

☐ Approved ☐ Delayed ☐ Declined

Reason:
We are pleased to quote, for acceptance within (30) days of this date, prices and terms on equipment listed below. Shipment of equipment will be completed (8-14) weeks* after receipt of purchase order with mutually acceptable terms and conditions, subject to credit approval, or engineer approved submittals, if required.

*Notes: Aqua-Aerobic Systems' proposal is based upon supply of equipment models as noted. Actual shipment is dependent on equipment availability at the time of receipt of order.

<table>
<thead>
<tr>
<th>Qty</th>
<th>Description</th>
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<tbody>
<tr>
<td>4</td>
<td>75 HP Model SS Endura® Series Aqua-Jet® Aerator. Float is 14 gauge 304 stainless steel skin, filled with closed cell polyurethane foam. Volute and Intake Cone are 304 stainless steel. Propeller is cast stainless steel. Diffusion Head is monolithic casting of 304 stainless steel. Motor will be TEFC, premium efficient, 460 Volt, 3 Phase, 60 Hertz, 1200 RPM with 1.15 Service Factor and Class F nonhygroscopic insulation. Motor shaft is one-piece 17-4 PH stainless steel.</td>
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<tr>
<td>4</td>
<td>304 stainless steel 75 HP aerator restrained mooring frame(s).</td>
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<td>12</td>
<td>24' Mooring Posts</td>
</tr>
<tr>
<td>4</td>
<td>6 ft. 304 stainless steel draft tube assembly(ies) with 316 stainless steel fasteners or 50 - 60 - 75 HP Aerator(s).</td>
</tr>
<tr>
<td>4</td>
<td>Set(s) of 50ft Electrical Cable and Appurtenance for 460V, 75HP operation Includes electrical cable, kellums, and spiral wraps.</td>
</tr>
<tr>
<td>4</td>
<td>Taper lock cord grip fitting(s), 2.50&quot; NPT, to fit power cable with overall diameter of 1.625&quot; to 2.00&quot;.</td>
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<tr>
<td>4</td>
<td>Hex Bush Galv 3.00&quot; X 2.50&quot;</td>
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**WARNING:**
The Aqua-Jet® Aerator has a high velocity, upwardly directed hydraulic flow directly below the unit. In addition, horizontal surface velocities persist for some distance from the unit. These flow patterns may, in some instances, cause damage to basin bottoms or walls, creating leaking potential. In earthen or lined basins, Aqua-Aerobic Systems recommends the use of a concrete pad on the basin bottom directly below...
the aerator. If concrete is known to be nonresistant to the waste, other materials should be investigated. Riprapping, or similar means of bank protection can protect basin walls. If basin contains toxic wastes, user is advised to obtain engineering advice as to basin design and construction necessary to prevent possible erosion and leakage. Aqua-Aerobic Systems assumes no liability or responsibility for any damage to basin bottoms or walls, or for any injuries or damages resulting therefrom.

- Destination Control Statement These items are controlled by the U.S. Government and authorized for export only to the country of ultimate destination for use by the ultimate consignee or end-user(s) herein identified. They may not be resold, transferred, or otherwise disposed of, to any other country or to any person other than the authorized ultimate consignee or end-users(s), either in their original form or after being incorporated into other items, without first obtaining approval from the U.S. government or as otherwise authorized by U.S. law and regulations.

COMMERCIAL NOTES:

- Freight to jobsite is included, FOB Salisbury, NC 28144, as included in the Pricing Summary, below. If shipment is to be provided to another location, additional freight charges may apply.

- Start-up supervision is NOT included.

- Payable net 30 days from date of shipment subject to credit review; no retainage allowed.

- Unless specifically stated herein, state and/or local taxes are not included in the price but will be charged unless we receive a valid sales exemption certificate, direct pay permit, or other documentation required specifically by the taxing entity prior to shipment.

SCOPE / EQUIPMENT NOTES:

- The accessory prices quoted herein are only valid with the purchase of the complete units. If accessories are purchased independently, now or at a later date, pricing is void and must be obtained from the Aqua-Aerobic Systems' Aftermarket Sales Department.

- Unless specifically stated herein, control panels, junction boxes, anchors and eyebolts are not included in Aqua's scope of supply and shall be supplied by others. Accessories listed under available options are not included in the 'Total Job Price'.

- Based on the current instability in stainless steel pricing, Aqua-Aerobic Systems, Inc. reserves the right to re-evaluate the pricing quoted prior to order acceptance.

- Aqua-Aerobic Systems' offer is based upon the supply of Aqua-Aerobic Systems' standard equipment as described within this proposal, including the warranty as included within Terms and Conditions of Aqua-Aerobic Systems, Inc., and Aqua-Aerobic Systems' standard factory test(s) prior to shipment. Aqua-Aerobic Systems' scope of supply does not include any process or performance guarantees or warranties or process or performance testing unless specifically detailed within this proposal.

- Aqua-Aerobic Systems is providing this proposal without reviewing the process application requirements. Aqua-Aerobic Systems cannot take responsibility for these requirements. If the review of the application indicates that additional equipment is required, Aqua-Aerobic Systems reserves the right to revise our offering to meet the requirements.

Financing Solutions, and the Aqua-Aerobic logo are registered trademarks or pending trademarks of Aqua-Aerobic Systems, Inc. All other products and services mentioned are trademarks of their respective owners. Nereda® is a registered U.S. trademark of Royal HaskoningDHV.

SHIPPING NOTES:

To expedite your order, please provide the shipping instructions below:

Earliest acceptable equipment on site date: ________________________

Ship to address (including zip code):

Driver to provide 24 or 48 or _____ HOURS pre-delivery notice to:

Jobsite contact name:  ___________________________________

@ telephone number:  _______________________________

Deliveries are accepted on the following days of the week:

Monday  Tuesday  Wednesday  Thursday  Friday  Saturday  Sunday

Acceptable hours of delivery  ____:____ AM to  ____:____ PM

Special instructions to relay to the carrier and/or the driver:

_____________________________________________________

BILLING NOTES:

Bill To Address:

Purchase Order #:

Pricing Summary

Freight:  Included

Total Job Price:  $188,032.00

Material and/or services not specifically listed in this proposal are not included in the quoted TOTAL JOB PRICE and are to be supplied by others.

Goods quoted above will be sold subject to the terms and conditions of sale set forth on the face hereof and the following pages entitled "Terms and Conditions of Aqua-Aerobic Systems, Inc. (A MetaWater Company)". Any different or additional terms are hereby objected to.

Available Options

<table>
<thead>
<tr>
<th></th>
<th>Unit Price</th>
<th>Total Price</th>
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<tbody>
<tr>
<td>4 Fiberglass cover assembly and bracket for 75 HP, 60 hertz aerator.</td>
<td>$13,800.00</td>
<td>$55,200.00</td>
</tr>
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</table>
TERMS AND CONDITIONS OF AQUA-AEROBIC SYSTEMS, INC. (A Metawater Company)

This offer and all of the goods and sales of Aqua-Aerobic Systems, Inc. are subject only to the following terms and conditions. The acceptance of any order resulting from this proposal is based on the express condition that the Buyer agrees to all the terms and conditions herein contained. Any terms and conditions in any order, which are in addition to or inconsistent with the following, shall not be binding upon Aqua-Aerobic Systems, Inc. This proposal and any contract resulting therefrom, shall be governed by and construed in accordance with the laws of the State of Illinois, without regard to conflicts of laws principles.

PAYMENT
Unless specifically stated otherwise, quoted terms are Net 30 Days from shipping date. Past-due charges are 1.5% per month and will apply only on any past-due balance. Aqua-Aerobic Systems, Inc. does not allow retainage of any invoice amount, unless authorized in writing by an authorized representative of our Loves Park, Illinois office.

DURATION OF QUOTATION
This proposal of Aqua-Aerobic Systems, Inc. shall in no event be effective more than 30 days from date thereof, unless specifically stated otherwise, and is subject to change at any time prior to acceptance.

SHIPMENT
Shipping dates are not a guarantee of a particular day of shipment and are approximate, being based upon present production information, and are subject to change per the production schedules existing at time of receipt of purchase order. Aqua-Aerobic Systems, Inc. shall not be responsible for any delay in shipment for causes beyond its control including, but not limited to, war, riots, strikes, labor trouble causing interruption of work, fires, other casualties, transportation delays, modification of order, any act of governmental authorities or acts of God. Quoted shipment dates in this proposal are approximate dates goods will be shipped and, unless agreed to in writing by Aqua-Aerobic Systems, Inc., Buyer may not postpone or delay the dates of shipment of goods from our plant or from our supplier's plants beyond the dates set forth in this proposal.

TITLE AND RISK OF LOSS
All prices and all shipments of goods are F.O.B. Aqua-Aerobic Systems, Inc.'s plant at Loves Park, Illinois unless specifically stated otherwise. Delivery of the goods sold hereunder to the carrier shall be deemed delivery to the Buyer, and upon such delivery, title to such goods and risk of loss or damage shall be upon Buyer.

TAXES
Prices quoted do not include any taxes, customs duties, or import fees. Buyer shall pay any and all use, sales, privilege or other tax or customs duties or import fees levied by any governmental authority with respect to the sale or transportation of any goods covered hereby. If Aqua-Aerobic Systems, Inc. is required by any taxing authority to collect or to pay any such tax, duty or fee, the Buyer shall be separately billed at such time for the amounts Aqua-Aerobic Systems, Inc. is required to pay.

INSURANCE
Unless the goods are sold on a CIF basis, the Buyer shall provide marine insurance for all risks, including war and general coverage.

SECURITY
If at any time the financial responsibility of the Buyer becomes unsatisfactory to Aqua-Aerobic Systems, Inc., or Aqua-Aerobic Systems, Inc. otherwise deems itself insecure as to receipt of full payment of the purchase price from Buyer hereunder, Aqua-Aerobic Systems, Inc. reserves the right to require payment in advance or security or guarantee satisfactory to Aqua-Aerobic Systems, Inc. of payment in full of the purchase price.

LIMITATION OF ACTION
No action shall be brought against Aqua-Aerobic Systems, Inc. for any breach of its contract of sale more than two years after the accrual of the cause of action thereof, and, in no event, unless the Buyer shall first have given written notice to Aqua-Aerobic Systems, Inc., of any claim of breach of contract within 30 days after the discovery thereof.

CANCELLATION CLAUSE
No acceptance of this proposal, by purchase order or otherwise, may be modified except by written consent of Aqua-Aerobic Systems, Inc. nor may it be cancelled except by prior payment to Aqua-Aerobic Systems, Inc. the following sums as liquidated damages therefore: 1) If cancellation is prior to commencement of production and prior to the assumption of any obligations by Aqua-Aerobic Systems, Inc. for any materials or component parts, a sum equal to 15% of the total purchase price; 2) If cancellation is after the commencement of production or after the assumption of any obligations by Aqua-Aerobic Systems, Inc. for any materials or component parts, a sum equal to the total of the direct, out-of-pocket expenses incurred to the date of cancellation for labor, machine time, materials and any charges made to us by suppliers for cancellation, plus 30% of the total purchase price. All charges and expenses shall be as determined by Aqua-Aerobic Systems, Inc. In the event any items are used by Aqua-Aerobic Systems, Inc. to fill a subsequent order, then upon receipt of payment for such order, Aqua-Aerobic Systems, Inc. shall pay the Buyer a sum equal to the direct out-of-pocket expenses previously charged and received from Buyer.

PROPRIETARY INFORMATION
This proposal, including all descriptive data, drawings, material, information and know-how disclosed by Aqua-Aerobic Systems, Inc. to Buyer in relation hereto is confidential information intended solely for the confidential use of Buyer, shall remain the property of Aqua-Aerobic Systems, Inc. and shall not be disclosed or otherwise used to the disadvantage or detriment of Aqua-Aerobic Systems, Inc. in any manner.
QUALIFIED ACCEPTANCE AND INDEMNITY

In the event the acceptance of this proposal by Buyer either is contingent upon or subject to the approval by any third party such as, but not limited to, a consulting engineer, with respect to goods, parts, materials, descriptive data, drawings, calculations, or any other matter, then upon such approval by any third party, Aqua-Aerobic Systems, Inc. shall have no liability to Buyer or to any third party so long as the goods sold and delivered by Aqua-Aerobic Systems, Inc. conform to this proposal. In the event any such third party requires modifications in the proposal prior to the approval thereof, Aqua-Aerobic Systems, Inc. may at its sole option and without liability to any party elect to cancel this proposal or return the purchase order to Buyer. In the event Aqua-Aerobic Systems, Inc. elects to modify this proposal to conform to the requirements for approval by any third party, Aqua-Aerobic Systems, Inc. in such event shall have no liability to Buyer or to any third party so long as the goods sold and delivered by Aqua-Aerobic Systems, Inc. conform to this proposal as modified.

Buyer agrees to indemnify and save harmless Aqua-Aerobic Systems, Inc. from and against all costs and expenses and liability of any kind whatsoever arising out of or in connection with claims by third parties so long as the goods sold hereunder conform to the requirements of this proposal as approved by any third party.

WARRANTY; LIMITATION OF LIABILITY; AND DISCLAIMER

In return for purchase and full payment for Aqua-Aerobic Systems, Inc. goods, we warrant new goods provided by us to be free from defects in materials and workmanship under normal conditions and use for a period of one year from the date the goods are put into service, or eighteen months from the date of shipment (whichever first occurs). If the goods include an “Endura Series” motor, the complete Endura Series unit shall be warranted by Aqua-Aerobic to be free from defects in materials and workmanship under normal conditions and use for three years from the date the product is put into service or 42 months from the date of shipment (whichever occurs first).

OUR OBLIGATION UNDER THIS WARRANTY IS EXPRESSLY AND EXCLUSIVELY LIMITED to replacing or repairing (at our factory at Loves Park, Illinois) any part or parts returned to our factory with transportation charges prepaid, and which our examination shall show to have been defective. Prior to return of any goods or its parts to our factory, Buyer shall notify Aqua-Aerobic Systems, Inc. of claimed defect, and Aqua-Aerobic Systems, Inc. shall have the privilege of examining the goods at Buyer's place of business at or where the goods have otherwise been placed in service. In the event this examination discloses no defect, Buyer shall have no authority to return the goods or parts to our factory for the further examination or repair. All goods or parts shall be returned to Buyer, F.O.B. Loves Park, Illinois. This warranty shall not apply to any goods or part which has been repaired or altered outside our factory, or applied, operated or installed contrary to our instruction, or subjected to misuse, chemical attack/degredation, negligence or accident. This warranty and any warranty and guaranty of process or performance shall no longer be applicable or valid if any product, including any software program, supplied by Aqua-Aerobic Systems, Inc., is modified or altered without the written approval of Aqua-Aerobic Systems, Inc. Our warranty on accessories and component parts not manufactured by us is expressly limited to that of the manufacturer thereof.

THE FOREGOING WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND OF ALL OTHER LIABILITIES AND OBLIGATIONS ON OUR PART, INCLUDING ANY LIABILITY FOR NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE; AND ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE IS EXPRESSLY DISCLAIMED; AND WE EXPRESSLY DENY THE RIGHT OF ANY OTHER PERSON TO INCUR OR ASSUME FOR US ANY OTHER LIABILITY IN CONNECTION WITH THE SALE OF ANY GOODS PROVIDED BY US. THERE ARE NO WARRANTIES OR GUARANTEES OF PERFORMANCE UNLESS SPECIFICALLY STATED OTHERWISE.

UNDER NO CIRCUMSTANCES, INCLUDING ANY CLAIM OF NEGLIGENCE, STRICT LIABILITY, OR OTHERWISE, SHALL AQUA-AEROBIC SYSTEMS, INC. BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES, COSTS OF CONNECTING, DISCONNECTING, OR ANY LOSS OR DAMAGE RESULTING FROM A DEFECT IN THE GOODS. LIMIT OF LIABILITY: AQUA-AEROBIC SYSTEMS, INC.’S TOTAL LIABILITY UNDER THE ABOVE WARRANTY IS LIMITED TO THE REPAIR OR REPLACEMENT OF ANY DEFECTIVE PART. THE REMEDIES SET FORTH HEREIN ARE EXCLUSIVE, AND OUR LIABILITY WITH RESPECT TO ANY CONTRACT OR SALE, OR ANYTHING DONE IN CONNECTION THEREWITH, WHETHER IN CONTRACT, IN TORT, UNDER ANY WARRANTY, OR OTHERWISE, SHALL NOT, IN ANY CASE, EXCEED THE PRICE OF THE GOODS UPON WHICH SUCH LIABILITY IS BASED.

Final acceptance of this proposal must be given to Aqua-Aerobic Systems, Inc. at their office in Loves Park, Illinois. Please acknowledge acceptance by signing the proposal and returning it to Aqua-Aerobic Systems, Inc.

Accepted by:

Company:

By: __________________________ Date: __________________________

Offer Respectfully Submitted,  
Emily Kullberg  
Emily Kullberg, Sales Assistant, Aeration & Mixing  
Aqua-Aerobic Systems, Inc.
Salisbury City Council
Agenda Item Request Form

Please Select Submission Category:  
☐ Public  ☐ Council  ☐ Manager  X Staff

Requested Council Meeting Date:  10/19/2021

Name of Group(s) or Individual(s) Making Request: Stormwater Division

Name of Presenter(s):  Michael Hanna

Requested Agenda Item:  Council to consider authorizing Stormwater Grant of $6,500.00 for improvement to Catawba College.

Catawba College has erosion and property loss around the culverts that boarder the ecological preserve and City of Salisbury Greenway. This project would replace the culverts and stabilize the soil.

Attachments:  ☐ Yes  X No

Fiscal Note:  (If fiscal note requires approval by finance department because item exceeds $100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

Sufficient funds are available in the FY22 budget to pay this grant.

Action Requested of Council for Agenda Item:  Request a 50% match of construction costs for stormwater improvements at Catawba College through Public Works Storm Drain Incentive Grant Program for up to $6,500.00.

Contact Information for Group or Individual: Michael Hanna, City of Salisbury Stormwater Services

X Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

☐ Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

S. Wade Funches  
Finance Manager Signature

[Signature]

Department Head Signature

[Signature]

Budget Manager Signature
Salisbury City Council
Agenda Item Request Form

***All agenda items must be submitted at least 7 days before the requested Council meeting date***

For Use in Clerk’s Office Only
☐ Approved ☐ Delayed ☐ Declined

Reason:
Salisbury City Council
Agenda Item Request Form

Please Select Submission Category: ☐ Public ☐ Council ☐ Manager ☒ Staff

Requested Council Meeting Date: October 19, 2021

Name of Group(s) or Individual(s) Making Request: City of Salisbury, Engineering Department

Name of Presenter(s): Wendy Brindle, City Engineer

Requested Agenda Item: Voluntary Annexation – Grants Landing

Description of Requested Agenda Item:

A public hearing concerning the voluntary annexation for Grants Landing was scheduled for October 19, 2021. The hearing has been properly advertised, and staff finds the request to meet the standards of NCGS 160A-31. Statutes require the effective date of the annexation to be within 24 months after the date of passage, and the tax assessor’s office has requested that annexations become effective on either the last day of the calendar year or the last day of the fiscal year. Therefore, City Council will consider adopting an Ordinance for the effective date of the annexation to be December 31, 2021.

Attachments: ☒ Yes ☐ No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds $100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

The current tax value of the property is $390,859. The plan is for 234 single family residential units. Each home (assuming an average value of $250,000 each) would generate $1,800 per year in property taxes. The City will incur additional costs for police and fire protection, which is indeterminable.

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*
City Council to hold a public hearing and consider adoption of an Ordinance to annex Grants Landing, 77.803 acres, parcels 460-152 and 462-006, per NCGS 160A-31.

Contact Information for Group or Individual:
Wendy Brindle, City Engineer 704-638-5201/wbrin@salisburync.gov

☐ Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

☒ Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

S. Wade Fincher
Finance Manager Signature

Wendy Brindle
Department Head Signature

Tim Ballard
Budget Manager Signature
****All agenda items must be submitted at least 7 days before the requested Council meeting date***

For Use in Clerk’s Office Only

☐ Approved
☐ Declined

Reason:
"AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, TO INCLUDE 77.803 ACRES, PARCELS 460-152 and 462-006, GRANTS LANDING (FOREST GLEN, INC. & GRACE STEELE KENT AND CHARLES EDWARD STEELE)

WHEREAS, the City Council of Salisbury has been petitioned under G.S. 160A-31 to annex the area described herein, and the City Clerk has certified the sufficiency of said petition; and

WHEREAS, a public hearing on the question of this annexation was held virtually by City Council on October 19, 2021 at 6:00 p.m. after due notice by publication on September 30, 2021 in the Salisbury Post; and

WHEREAS, the City Council of Salisbury does find as a fact that said petition meets the requirements of G.S. 160A-31; and

WHEREAS, the City Council of Salisbury further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council of Salisbury further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Salisbury and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory, and also shown on the attached annexation plat, is hereby annexed and made part of the City of Salisbury as of the 31st day of December 2021. The survey plat that describes the annexed territory is that certain survey plat entitled Boundary Survey and Contiguous Annexation Plat of; Forest Glen, Inc. & Grace Steele Kent and Charles Edward Steele, dated 4-1-2021, and recorded in Book of Maps _______ Page ______, Rowan County Register of Deeds:

LYING IN THE CITY OF SALISBURY ETJ, ROWAN COUNTY, NORTH CAROLINA, AND BEING ON THE SOUTH SIDE OF MOORESVILLE ROAD (NC HIGHWAY 150) AND THE SOUTHWESTERN SIDE OF ROWAN MILL ROAD (S.R. 1526) AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT CALCULATED POINT IN THE CENTER OF GRANTS CREEK. THE TRU POINT OF BEGINNING, SAID POINT BEING LOCATED THE FOLLOWING SEVEN (7) CALLS FROM NGS MONUMENT "SALSPORT" HAVING NC GRID –
NAD83 COORDINATES OF N: 691,118.44' AND E: 1,547,839.86' WITH A COMBINED GRID FACTOR: 0.99986360, SAID MONUMENT BEING THE PROJECT POINT OF LOCALIZATION: 1) N13°06'52"W 5034.48' (5033.55' GRID DISTANCE) TO A POINT IN THE CENTER OF GRANTS CREEK; 2) N64°10'05"E 218.50' TO A POINT IN THE CREEK; 3) N68°28'02"E 214.47' TO A POINT IN THE CREEK; 4) N57°01'00"E 123.38' TO A POINT IN THE CREEK; 5) N51°38'14"E 144.73' TO A POINT IN THE CREEK; 6) N38°52'59"E 332.40' TO A POINT IN THE CREEK; 7) N40°08'31"E 267.28' TO A PINT IN THE CREEK, SAID POINT BEING THE SOUTHERNMOST CORNER OF GRACE STEELE KENT, CHARLES EDWARD STEELE, AND FOREST GLEN, INC. (DEED BOOK: 643, PAGE 657-658 & DB: 700, PG: 166-169); BEING THE TRUE POINT OF BEGINNING. THENCE FROM THE TRUE POINT OF BEGINNING AND LEAVING THE CENTER OF GRANTS CREEK, N36°47'14"W 38.21' TO AN EXISTING ½ " PIPE, THENCE N36°47'14"W 1658.39' TO A ½" PIPE, THENCE N17°58'16"E 1775.76' TO A POINT, THENCE N17°58'16"E 9.50' TO A POINT, THENCE N17°58'16"E 32.28' TO A POINT IN THE CENTER OF MOORESVILLE ROAD, THENCE WITH THE CENTER OF MOORESVILLE ROAD THE FOLLOWING FOUR (4) CALLS: 1) N65°51'36"E 18.95' TO A POINT, 2) N66°52'31"E 180.83' TO A POINT, 3) 070°38'07"E 146.32' TO A POINT; AND 4) N74°57'18"E 41.68' TO A POINT; THENCE LEAVING THE CENTER OF THE AFOREMENTIONED ROAD S11°14'54"W 30.03' TO AN EXISTING ROD WITH CAP ON THE SOUTHERN RIGHT OF WAY OF MOORESVILLE ROAD AND THE EASTERLY RIGHT OF WAY OF ROWAN MILL ROAD (SAID ROD WITH CAP BEING N17°09'03"W 61.51' FROM AN EXISTING ½" PIPE ON THE EASTERLY RIGHT OF WAY OF ROWAN MILL ROAD), THENCE ACROSS ROWAN MILL ROAD S11°14'54"W 217.1' TO AN EXISTING ½" PIPE (SAID PIPE BEING LOCATED N11°14'54"W FROM AN EXISTING #8 REBAR AND ALSO N11°14'54"W 809.40' FROM A GRANITE STONE, A CONTROL CORNER, MB: 9995, PG: 2364), THENCE ADJOINING THE SOUTHWESTERLY RIGHT OF WAY OF ROWAN MILL ROAD ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 91.57', A RADIUS OF 336.86', AND A CHORD BEARING AND DISTANCE OF S52°17'29"E 91.29' TO AN EXISTING 1" IRON ROD (SAID ROD BEING S29°43'12"W 60.00' FROM AN EXISTING ½" PIPE), THENCE S60°04'43"E 1306.49' TO AN EXISTING ½" PIPE, THENCE LEAVING THE SOUTHWESTERLY RIGHT OF WAY N85°31'56"E 52.80' TO A POINT IN THE CENTER OF ROWAN MILL ROAD (SAID POINT BEING LOCATED S85°31'56"W 53.43 AN EXISTING 1-1/2" PIPE, THAT SAID PIPE BEING LOCATED S82°40'20" 1.16' FROM AN EXISTING PINCHED 1-1/2" PIPE, THAT SAID PINCHED PIPE BEING LOCATED S85°34'57"W 79.50' FROM AN EXISTING BENT ½" PIPE WITH NAIL AT THE BASE), THENCE WITH THE CENTER OF THE ROAD S60°03'58"E 575.43' TO A POINT THENCE LEAVING THE CENTER OF THE ROAD S02°58'50"W 26.91' TO AN EXISTING #5 REBAR, THENCE CONTINUING S02°58'50"W 506.74' TO A 1-1/2" PIPE [A COMMON CORNER OF GARZA (DB: 1324, PG: 561) AND FREEZE (DB: 1269, PG: 330)], THENCE ADJOINING THE FREEZE LINE S03°01'13"W 215.77' TO THE COMMON CORNER WITH LOT 3 OF THE GOODMAN REVOCABLE TRUST (DB: 927, PG: 110), THENCE S02°48'38"W 216.58' TO LOTS 4 & 5 OF THE GOODMAN REVOCABLE TRUST, THENCE S03°02'27"W 411.94' TO A NEW #5 REBAR SET ON LINE ON THE BANK OF THE CREEK, THENCE CONTINUING S03°02'27"W 57.00' TO A POINT IN THE CENTER OF GRANTS CREEK, THENCE WITH THE CREEK THE FOLLOWING THREE (3) CALLS: 1) S45°39'32"W 311.56' TO A POINT; 2) S38°52'43"W 289.09' TO A POINT; 3) S40°08'31"W 142.61' TO A POINT, SAID POINT BEING THE TRUE POINT OF BEGINNING. THE ABOVE DESCRIPTION CONTAINS ROWAN COUNTY PARCEL ID NUMBERS: 462-0060001 & 460-152, CONTAINING A TOTAL OF 77.803 ACRES, MORE OR LESS.

Section 2. Upon and after the 31st day of December 2021, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other parts of the City of Salisbury. Said territory shall be subject to municipal taxes according to G.S. 160A-31.
Section 3. The Mayor of the City of Salisbury shall cause to be recorded in the office of the Register of Deeds of Rowan County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1.”

Adopted this 19th day of October 2021.

__________________________
Karen K. Alexander, Mayor

ATTEST:__________________________
Kelly Baker, MMC
Administrative Services Director/City Clerk
Requested Agenda Item: Council to consider approval of revisions to the Downtown Revitalization Incentive (DRI) Grant Program.

Description of Requested Agenda Item:

The Downtown Revitalization Incentive (DRI) Grant Program was established by City Council in 2014 to promote economic growth within the Downtown Municipal District. To date, the program has contributed to the successful completion of twelve (12) significant downtown projects and leveraged over $15 million in private investment.

Staff is proposing several revisions to the Program Guidelines that are intended to keep the incentives current with development trends, as well as to make the application and review process more clear and consistent. Substantive revisions are outlined below.

1. **Combine the Residential Production sub-grant with the Residential Utilities sub-grant, and increase the maximum award from $7,500 to $10,000 per residential unit, up to $100,000.**

   The Residential Utilities sub-grant, which is intended to defray infrastructure costs related to the construction of residential units, such as water and sewer taps or meter packages, consistently causes confusion among applicants and is difficult for staff to differentiate eligible costs from other sub-grants. Staff is proposing to absorb infrastructure costs that are incurred for residential units into the Residential Production Grant, increasing the maximum award per unit to $10,000.

2. **Utilize a Scoring Rubric to review grant applications.**

   The proposed Scoring Rubrics are unique to each sub-grant, and each is designed to evaluate which grant applications will best achieve economic development goals for downtown. Examples of the criteria found in the rubric are: visibility and impact; historic status; fire protection; residential living; affordability; street level activation; diversity, equity and inclusion; green building elements; publicly visible art; and grant to investment ratio.

3. **Form a Review Committee to evaluate grant applications and provide City Council with recommendations.**

   While City Council will still grant final incentive awards, Staff proposes a seven-person Review Committee to evaluate projects per the Scoring Rubrics and to make any recommendations to City Council, in the event limited funding is available to support the number of qualified grant applications. Staff proposes the Review Committee be made up of two staff members from the Finance Department and Salisbury Rowan Utilities, as well as five community members representing: the Chamber of Commerce’s Minority Business Council, the Downtown Salisbury Inc.’s Economic Vitality Committee, the Historic Preservation Commission, a local architect, engineer, or contractor (not involved in any...
application), and a downtown business owner or resident (not involved in any application). At least three members of the Review Committee must be either Hispanic or non-White. Each year Planning Staff will work to select and facilitate the committee.

4. Establish an annual grant cycle.

Staff is proposing to institute a grant cycle with defined application deadlines. Historically, grant applications have been considered on an ad hoc basis as funding is available. In order to ensure that funding goes towards projects that best meet the program’s goals by serving a public purpose, applications will need to be reviewed in batches. Establishing a grant cycle will also allow Planning Staff to advertise a “call for applications” to all downtown stakeholders to make them aware of the opportunity.

Attachments:  ☑ Yes   ☐ No

1. DRI Proposed Guidelines, Amended (with changes annotated);
2. DRI Program Revisions Powerpoint

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds $100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

Action Requested of Council for Agenda Item:  Approve amendments to the Downtown Revitalization Incentive (DRI) Grant Program.

Contact Information for Group or Individual: Hannah Jacobson, Planning Director, (704) 638-5230, hannah.jacobson@salisburync.gov.

☐ Consent Agenda  (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

☑ Regular Agenda  (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

_________________________________                      _______________________
Finance Manager Signature                        Department Head Signature

Budget Manager Signature

****All agenda items must be submitted at least 7 days before the requested Council meeting date****
For Use in Clerk’s Office Only

☐ Approved  ☐ Declined

Reason:
DO DWNTWN REVITALIZATION INCENTIVE GRANTS PROGRAM

City Council Draft October 19, 2021

Introduction
The City of Salisbury recognizes that the economic productivity of Downtown hinges upon a built environment capable of supporting business and residential growth, and that sustaining this growth requires significant commitment by private investors in building rehabilitation and construction. Aging buildings, fire suppression requirements and outdated electrical systems are just a few of the challenges of urban revitalization. The incentive grants offered by the City will help defray some of these costs in order to stimulate additional private investment in downtown properties.

The incentive grants are designed to promote both new development and historic rehabilitation, with an emphasis on those projects that create new residential opportunities. By increasing the number of people living downtown, these incentives will help expand the market base for restaurants, retail, commercial activities, and special events, thereby benefitting existing merchants and attracting new business. By facilitating rehabilitation of existing buildings, the program will aid in the preservation of our historic urban fabric and character. These incentives also promote the use and expansion of back-alley fire line “loops” capable of serving multiple buildings which will help reduce the cost for other buildings to connect in the future. This cost savings will encourage the use of fire suppression systems, thereby reducing the chances of a catastrophic fire impacting multiple buildings, offering greater protection of life and property, and minimizing the chances of a devastating loss of the historic resources that define the central business district.

The success of downtown Salisbury can be attributed in large part to a history of public-private partnerships involving grants and infrastructure offered by the City, often in conjunction with state and federal historic tax credits, transportation grants and similar programs. As these state and federal means of support have been eliminated or cut back in recent years, the level of participation by the City is more critical than ever. As developers begin to take advantage of the incentive grants and new projects come on-line, the City’s return on these investments will be realized through growth in the tax base, business activity and tourism with net economic benefits that will far exceed the amount of incentives granted.

Program Overview
The Downtown Revitalization Incentives consists of three competitive matching sub-grant programs targeting different project activities. More than one grant type may be layered in a single project, provided that eligibility requirements established for each grant are met.

- **Building Rehabilitation Grant** (Maximum Award: $50,000)
  Promotes the stabilization, preservation and reuse of older, primarily historic buildings.
Downtown Revitalization Incentive – Program Guidelines

- **Residential Production Grant** (Maximum Award: $100,000)
  Promotes development of new residences, including lofts, apartments and condominiums, in building rehabilitation and new construction projects.

- **Fire Suppression Grant** (Maximum Award: $25,000)
  Encourages the use and expansion of back-alley fire lines capable of serving multiple buildings. For projects that already have existing access to a fire line, the grant may be used to help offset the costs of a building sprinkler system.

Applications will be accepted annually and evaluated by a Review Committee according to criteria listed in the Scoring Rubrics found on pages 9, 11, and 13. The Review Committee will make grant award recommendations to the City Council based the relative scores and on and the availability of funding.

Payment of the grant(s) are offered on a reimbursement basis in a single installment upon completion of the approved scope of work and receipt of the final Certificate of Occupancy for the project.

**Available Funding**
Downtown Revitalization Incentive Grants will be awarded by the Salisbury City Council from the General Revenue fund (Building Rehabilitation and Residential Production) or the Water and Sewer fund (Fire Suppression). Funding amounts will vary from year to year based on budget.

**Incentive Grants – At a Glance**
The table below describes how to calculate the *maximum* eligible award offered in each sub-grant program. Actual awarded amounts will be based on availability of funds and the number of applications received. If awarded, the reimbursement amount is based on proof of expenditures for eligible expenses.

<table>
<thead>
<tr>
<th>Grant Program</th>
<th>Method of Calculation</th>
<th>Minimum Cost Threshold*</th>
<th>Maximum Award</th>
<th>Overall Eligibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Rehabilitation Grant</td>
<td>25% of eligible costs</td>
<td>Eligible costs must exceed $100,000</td>
<td>$50,000</td>
<td>‣ Permanent improvements to existing buildings greater than 30 years old</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>‣ Eligible improvement costs include building shell, systems and exterior facade</td>
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<tr>
<td>Residential Production Grant</td>
<td>$10,000 per residential unit created or substantially upgraded</td>
<td>Project costs must exceed $75 per gross sq. ft. of residential space</td>
<td>$100,000</td>
<td>‣ Available for new construction or existing buildings</td>
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<td></td>
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<td>‣ Creation of new residences, or renovations to existing, abandoned units that have been unoccupied for more than ten (10) years</td>
</tr>
<tr>
<td>Fire Suppression Grant</td>
<td>50% of back alley fire loop expansion, or</td>
<td></td>
<td>$25,000</td>
<td>‣ Available for new construction or existing buildings</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>‣ Installation or expansion of back-alley fire loop capable of serving multiple</td>
</tr>
</tbody>
</table>

Adopted 9/9/2014; Amended 7/16/2019; Draft 9/2/2021
General Provisions

The following general provisions and application process apply to all grants.

- See additional grant provisions and eligibility requirements beginning on p.7.

Eligibility Requirements

- Eligible properties will be located within the Salisbury Downtown Mixed Use District (DMX).

- For purposes of project eligibility for separate grant awards, a “building” or a “project” will be defined as a stand-alone structure or a building separated by party walls or parcel lines.

- Applicants shall be or have the endorsement of the legal owner of the property (appropriate documentation required). If a purchase is pending, proof of a sale contract to the applicant or Option to Purchase are acceptable.

Application Process

1. Pre-Application. Schedule a meeting with City staff to confirm eligibility prior to submitting a formal grant application.

2. Prepare an Application. A complete application will include the following:

   - A completed application form;
   - Narrative description of construction or rehabilitation work to be performed, including the proposed uses;
   - Any design schematics, site plans, drawings or renderings including floor plan indicating gross sq. ft. of residential space and sq. ft. of area protected by fire sprinkler system, if applicable;
   - Photographs depicting the current condition of the building or site;
   - Estimated timetable for completion of work, including permitting and construction schedule;
   - Itemized estimate of project costs prepared by a contractor or design professional;
   - Materials schedules for residential units;
   - Proof of ownership, or if sale is pending, Contract for Sale to applicant or Option to Purchase;

*Minimum expenses prior to the grant
Proof of endorsement by the legal owner, if the applicant is not the owner

3. Application Review. Applications will be reviewed by appropriate city staff regarding consistency with all zoning, occupancy and use requirements. A Review Committee will evaluate applications according to a Scoring Rubric and form recommendations for the City Council. The Review Committee will consist of seven members, three of who must be either Hispanic or non-White, including:

- Local architect, engineer, contractor (who is not involved in any application)
- Downtown business owner or resident (who is not involved in any application)
- Member of the Chamber of Commerce’s Minority Business Council
- Member of DSI Economic Vitality Committee
- Member of Historic Preservation Commission
- Finance Department staff
- Salisbury Rowan Utilities staff

4. Awards Determined. Once the Review Committee has formed recommendations, the City Council will hold a public hearing to receive information and public comment, prior to approving, approving with conditions/modifications, or denying the request. The City shall have a notice of the public hearing published at least ten (10) days prior to the hearing.

5. Next Steps:

- Contract. Following City Council authorization, City Staff will prepare a contract document that must be signed within 90 days.

- Milestones and Deadlines
  - Applicant must show progress within six (6) months of the grant award. Progress can include non-construction development and permitting activity, such as the finalization of construction drawings or issuance of zoning permits. Construction of projects must begin within twelve (12) months of the grant award. Failure to do so may result in forfeiture of grant funds.
  - All projects must be completed within two (2) years unless an alternative timeline is approved with the initial application. Extensions to the project timeline may be approved by Salisbury City Council

- Site Visits. Periodically during construction and again upon completion, the improvements will be inspected by the appropriate city staff for determination of compliance as submitted in the application.

- Close Out and Reimbursement. Grantee shall submit paid invoices and documentation necessary to demonstrate financial expenditures. Reimbursement will be made in a single installment upon satisfactory completion of the approved scope of work and receipt of the final Certificate of Occupancy for the project.
Downtown Revitalization Incentive – Program Guidelines

Grant Schedule

Deadlines for grant applications will be published on the City’s website annually; however, will follow this general schedule:

- October – The City will issue a “Call for Applications” using mailed notices and social media
- December – Application Deadline and Review Committee Review
- January – City Council Public Hearing and Notice of Award
- July – Six month substantial progress milestone

Additional Notifications

1. Applicants should coordinate with Downtown Salisbury, Inc., and the Economic Development Commission in the due diligence phase of the project and in the preparation of the grant request from the City of Salisbury.

2. Applicants must comply with all local, state and federal regulations regarding construction, occupancy, zoning and use.

3. Applicant and the property owner must not owe any back taxes, civil penalties, or delinquent fees. During the grant period, the grantee shall remain current with all real and personal property taxes, along with other fees, taxes, utility bills or other assessments to remain eligible for the grant.

4. Projects receiving grants shall meet high quality building design standards and remain flexible for future uses without significant structural changes in order to sustain their value to the community when the initial use changes.

5. Any substantial deviation from the approved plans must be reviewed and approved, in writing, by the City Manager, before it can be undertaken. Any substantial deviation from the approved scope of work shall cause the grant amount to be recalculated to reflect the revised scope of work.

- For example, the Residential Production Incentive Grant offers $7,500 per residential unit created or substantially upgraded. If City Council awards a $30,000 Residential Production grant to create four (4) new residential units (4 units x $7,500.00 = $30,000.00), but the scope of work changes such that only two (2) units are created, the grant shall be recalculated and reduced to $15,000 (2 units x $7,500 = $15,000.00). However, in no circumstance shall the recalculated award amount exceed the maximum award approved by City Council. The City reserves the right to deny payment if the completed work is not consistent with the content of the original application.

6. Grants are issued at the sole discretion of the City Council. No party or applicant shall be entitled to receive grant funds. Funding decisions are made at the discretion of the granting authority and the program may be discontinued at any time and without notification.

7. Projects considered under these guidelines shall be viewed independently of any project previously considered, awarded or rejected by the City.

8. Grants are not transferrable and may not be otherwise conveyed to another party without the consent of the City.

Adopted 9/9/2014; Amended 7/16/2019; Draft 9/2/2021
9. Applicants are encouraged to take advantage of state and Federal historic tax credits, Main Street Solutions grants from the NC Department of Commerce, and other programs that may be available.

10. Applicants are eligible to apply for the Innes Street Improvement Grant or Municipal Service District Incentive Grant. These are competitive grant programs offered by the Community Appearance Commission when funds are available. Separate guidelines and eligibility requirements apply to these grant programs.

**Overall Quality Standards and Preferred Amenities (New Construction or Rehabilitation)**

Projects will utilize the following or better finishes, materials and amenities. These guidelines are not meant to dictate style, but rather to indicate a high level of quality and finish. Other finishes not listed here may be considered as long as they are of a similar level of quality and durability. The use of sustainable materials and construction methods is both encouraged and preferred.

Examples of preferred amenities and finishes include, but are not limited to:

- **Walls/Interior**: Interior should be of a “finished” quality. Materials should be exposed brick, finished plaster or finished sheetrock with baseboard, crown and door moldings as appropriate to the design of the space.

- **Floors**: refinished or new installed hardwoods, cork, bamboo, laminates, floating or engineered floors, polished, stained or sealed concrete, ceramic tile or stone in baths and kitchens.

- **Countertops**: Solid surface, stone, granite, sealed concrete, stainless steel, ceramic tile or high-pressure laminate.

- **Built-in appliances** should be new and Energy Star-rated.

- **Windows**: Windows should be repaired whenever possible and efforts made to make them as energy-efficient as possible.

- **Hardware**: Faucets, cabinet hardware and light fixtures should be either of new and higher quality or be refurbished vintage fixtures of higher quality.

- **Building**: Secured entrances and off-street parking for residents.

**Rehabilitation Standards**

Projects located within the Local Historic District involving exterior work or rehabilitation must receive a Certificate of Appropriateness from the Historic Preservation Commission.

Interior rehabilitation should reflect a contemporary solution that respects the historic and architectural integrity of the building. Significant architectural features or details that give an indication of the building’s original appearance, its history or previous uses should be preserved and reused whenever possible.

Examples of features that should be preserved include, but are not limited to:

- Ceiling heights and materials
- Windows, doors, casings and details
- Stairways and railings
- Flooring and wall treatments
Building Rehabilitation Grant

Overview
Intended to promote the stabilization, preservation and reuse of existing or historic buildings, the Building Rehabilitation Grant helps offset the costs of substantial repairs, modernization and upgrades to meet current business and living needs.

Goals of the Program

- Enhance, upgrade and stabilize vacant or underutilized properties;
- Promote rehabilitation and preservation of historic buildings;
- Encourage private investment that enhances the character and authenticity of the downtown through the reuse of existing buildings;
- Provide desirable tenant space for new and existing retail, restaurants and commercial businesses to locate in the downtown;
- Promote redevelopment and reuse of upper floors for apartments, lofts, condominiums, offices and other compatible uses;
- Create jobs, improve the tax base and increase tourism.

Maximum Grant Amount

- Standard grants shall reimburse the applicant a maximum of $50,000 or 25% of eligible project costs (whichever is less) for permanent improvements. See list of eligible improvement costs below;
- The rehabilitation must be substantial. The minimum capital investment threshold to qualify for consideration for this grant shall be no less than $100,000, prior to the grant.

Examples:
- $200,000 eligible costs X 0.25 = $50,000 maximum eligible grant amount
- $1,000,000 eligible costs X 0.25 = $250,000 (note, the maximum eligible grant is still $50,000)

Qualifying for the Grant

- The property must be located in the Salisbury Downtown Mixed Use District (DMX);
Downtown Revitalization Incentive – Program Guidelines

- New construction does not qualify, nor do buildings constructed in the last 30 years.

- The building may be intended for a single use, such as restaurant or retail, or may be a mixed use project involving any permitted uses in the DMX district;

Eligible Improvement Costs
For the purposes of calculating the grant amount, permanent improvements to the building shell, building systems and exterior façade are eligible.

Examples of eligible improvements include, but are not limited to, the following:

- Window repair or replacement
- Floors and flooring
- Façade repairs/rehabilitation
- Improvements to structural integrity
- Roof repairs or replacement
- Storefront repairs or replacement
- Interior walls, doors and trim details
- ADA improvements
- Building systems – HVAC, plumbing, electrical
- Energy efficiency improvements

Expenses that do not qualify include, but are not limited to:

- The cost of acquisition of the building or personal property;
- Kitchen equipment including internal grease traps
- Interest and taxes;
- Paving and landscaping costs;
- Water, sewer and fire suppression infrastructure external to the building;
- Design fees; Realtor’s fees; permitting fees;
- Sales and marketing.

Scoring Rubric
Applications will be given a preliminary score by the Review Committee according to the following criteria. The scores will help determine actual grant awards based on the number of applications received and the total funding available. Substantial deviations from what is committed to in the application related to scoring criteria may disqualify the project from funding.
### SCORING CRITERIA

<table>
<thead>
<tr>
<th>Impact and Visibility</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary entrance on 100 N. Main, 100 S. Main, 100 East Innes, 100 West Innes</td>
<td>5</td>
</tr>
<tr>
<td>Primary entrance on 200 North Main, 200 South Main, and 200 East Innes</td>
<td>3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Historic Status</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Designated Local Historic Landmark</td>
<td>10</td>
</tr>
<tr>
<td>Individually listed on the National Register of Historic Places</td>
<td>5</td>
</tr>
<tr>
<td>Identified as Contributing to a National Register Historic District</td>
<td>3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fire Protection</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Projects that commit to expanding the back-alley fire loop system</td>
<td>5 x the # of buildings that could be served by the extension</td>
</tr>
<tr>
<td>Buildings that commit to installing new sprinkler system</td>
<td>5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Street Level Activation</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restaurant spaces created/substantially rehabilitated</td>
<td>5 per</td>
</tr>
<tr>
<td>Retail or entertainment spaces created or substantially rehabilitated</td>
<td>1 per</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Publicly Visible Art</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sculptures, murals or other permanent and visible art installations</td>
<td>3 per installation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Green Building</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Green building element installed (examples: solar panels, white roof, green roof, cisterns)</td>
<td>3 per element</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Diversity, Equity and Inclusion</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract with a Minority or Woman owned business for architecture, engineering, and general contracting</td>
<td>5</td>
</tr>
<tr>
<td>Lead architect, contractor, engineer is a MWBE</td>
<td>3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grant to Investment Ratio (maximum eligible grant/total investment)</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Between .20 to .24</td>
<td>1</td>
</tr>
<tr>
<td>Between .15 to .19</td>
<td>2</td>
</tr>
<tr>
<td>Between .10 to .14</td>
<td>3</td>
</tr>
<tr>
<td>Between .05 to .09</td>
<td>4</td>
</tr>
<tr>
<td>Between .01 to .04</td>
<td>5</td>
</tr>
<tr>
<td>Less than .01</td>
<td>6</td>
</tr>
</tbody>
</table>
Residential Production Grant

Overview
Intended to promote downtown living and increase the residential capacity of downtown, the Residential Production Grant will encourage property owners to consider reuse of their upper floors for lofts, apartments or condominiums. Investors in new construction or building rehabilitation projects that create new residential units, or renovate abandoned units, will be eligible for a substantial rebate on development costs.

Goals of the Program
- Promote renovation and reuse of upper floors in existing or historic buildings for residential use;
- Encourage new residential construction on suitable vacant lots;
- Increase downtown living in order to expand the market base for restaurants and retail establishments, and to attract new businesses to the downtown;
- Increase the tax base.

Maximum Grant Amount
- The maximum reimbursement will be at a rate of $10,000 per residential unit created or substantially improved.
- Total maximum grant shall not exceed $100,000
- Minimum development costs must exceed $75 per gross sq. ft. of residential space.

Example:
- 2 units @ $10,000 grant per unit = $20,000 maximum grant award

Example:
- 14 units @ $10,000 grant per unit = $140,000 (In this case, $100,000 is the maximum grant award)

Qualifying for the Grant
- The property must be located in the Salisbury Downtown Mixed Use District (DMX);
- New construction or building rehabilitation projects are eligible;
- Eligible projects will include residential as a single use, or as part of mixed use development.
- Eligible projects will include either market rate or affordable housing for long-term lease or purchase. Short term rentals, such as Airbnb, are not the intent.
- Residential Production Grants are not intended for home improvement projects. Projects intended to restore, revitalize, or repair private individuals’ residences are ineligible. If upper story residential units
are created as part of the project, the applicant may reside in one of the units if at least one more unit is created for separate lease/purchase.

Eligible Improvements

- Grant reimbursement rate is factored on the number of new residential units created or substantially upgraded at a flat rate per unit;
- Eligible projects may include renovations to existing, abandoned units that have been unoccupied for more than ten (10) years. Renovations must be substantial to the extent that the completed units are of a finished quality and ready for occupancy;
- All new or renovated units must be consistent with the overall quality standards, preferred amenities and interior rehabilitation standards listed under General Provisions (pages 3-6).

Scoring Rubric

Applications will be given a preliminary score by the Review Committee according to the following criteria. The scores will help determine actual grant awards based on the number of applications received and the total funding available. Substantial deviations from what is committed to in the application related to scoring criteria may disqualify the project from funding.

<table>
<thead>
<tr>
<th>SCORING CRITERIA</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td># of units</td>
<td></td>
</tr>
<tr>
<td>Upper story units</td>
<td>2 per</td>
</tr>
<tr>
<td>Ground floor units</td>
<td>1 per</td>
</tr>
<tr>
<td>Affordability</td>
<td></td>
</tr>
<tr>
<td>Units of housing offered at a rent affordable to a household earning 80% of the Area Median Income or less for an 8-year period.¹,²</td>
<td>10 per</td>
</tr>
<tr>
<td>Fire Protection</td>
<td></td>
</tr>
<tr>
<td>Projects that commit to expanding the back-alley fire loop system</td>
<td>5 x the # of buildings that could be served by the extension</td>
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</tbody>
</table>

¹Income limits are published annually by the U.S. Department of Housing and Urban Development (HUD). Income limits are calculated for different levels of Area Median Income (AMI) for geographic areas across the country by household size. Salisbury falls in the Rowan County Metropolitan Statistical Area for AMI calculations.

²Income restrictions will be required to be filed with the Register of Deeds. Documentation reporting annual income of residents and retail documents must be furnished to the City of Salisbury on an annual basis. Failure to comply will result in zoning enforcement action.
Fire Suppression Grant

Overview
The most effective fire loss prevention and reduction measure with respect to both life and property is the installation and maintenance of fire sprinklers. In many cases the initial and largest expense is installation of the fire line external to the building. The purpose of the Fire Suppression Grant is to encourage the use and expansion of back-alley fire line “loops” which serve a public purpose by improving access to fire lines for adjacent buildings. Availability of fire lines reduces connection costs for other buildings to be served by sprinkler systems and promotes the use of sprinklers in projects that may not otherwise require them.

_Only for projects with existing access to a public fire line, the grant may be used to offset a portion of the costs of a building sprinkler system._

Goals of the Program

- Encourage the expansion and use of priority back-alley fire lines in the Primary Fire District identified by the Salisbury-Rowan Utilities and Salisbury Fire Department capable of serving multiple buildings (see attached map);
- Guard against loss of life and property through greater use of building sprinkler systems, and minimize the chances of a catastrophic fire spreading and impacting multiple properties;
- Improve life safety and reduce property damage as a result of immediate fire suppression and control, giving occupants more time to escape while the fire department responds;
- Aid in the preservation of historic urban fabric and character;
- Result in savings for property owners on insurance premiums, tax deductions, life safety code compliance, liability avoidance and continuous business operations.

Impact of Automatic Sprinkler Systems on Building and Safety Code Requirements
Because of the effectiveness of automatic sprinklers in controlling fires, building and fire codes relax certain requirements in fully-sprinkled buildings, resulting in positive offsetting benefits:

- Reduced structural fire resistance requirements;
- Greater height and area allowances;
- Increased allowable egress travel distances;
- More latitude for flame-spread rating of interior finishes;
- Acceptable floor opening configurations.

Maximum Grant Amount

- Standard grants shall reimburse the applicant a maximum of $25,000 or 50% of eligible project costs (whichever is less) related to the installation or expansion of a back-alley fire line;
- For projects with already existing access to a fire line, the grant may be used for installation of a building sprinkler system at a rate of $2 per sq. ft. of building area protected, not exceeding the maximum grant amount of $25,000.
Qualifying for the Grant

- The property must be located in the Salisbury Downtown Mixed Use District (DMX);
- New construction or building rehabilitation projects are eligible;
- The project involves installation or expansion of a back-alley fire line that has the potential to serve other buildings, with an emphasis on expansion of fire lines in the Primary Fire District which have been identified as high priority by Salisbury-Rowan Utilities and Salisbury Fire Department;
- For projects with existing access to a fire line, the grant may be used for installation of a building sprinkler system;

Eligible Improvements and Technical Specifications

- Engineering and installation costs are eligible;
- Project must achieve compliance with all applicable building and construction codes, including the NC Building Code Council (NCBCC) specifications and the use of NC Plumber/Building Code-approved sprinkler devices and systems;
- 6” or larger fire lines through back alleys within the DMX district;
- Fire hydrants, external RPZs or double-check devices (non-foam or non-pressurized);

Scoring Rubric

Each application will be reviewed by Salisbury Rowan Utilities and the Salisbury Fire Department for feasibility. Applications will be given a preliminary score by the Review Committee according to the following criteria. The scores will help determine actual grant awards based on the number of applications received and the total funding available. Substantial deviations from what is committed to in the application related to scoring criteria may disqualify the project from funding.

<table>
<thead>
<tr>
<th>SCORING CRITERIA</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Public Purpose</td>
<td></td>
</tr>
<tr>
<td>Projects that commit to expanding the back-alley fire loop system</td>
<td>5 x the # of buildings that could be served by the</td>
</tr>
</tbody>
</table>

Example: Fire line extension

- $32,000 eligible costs x 0.5 = $16,000 grant amount

Example: Building sprinkler system

- $2 x 18,000 sq. ft. of area protected = $36,000

(In this case, $25,000 would be the maximum grant.)
Downtown Revitalization Incentive – Program Guidelines

<table>
<thead>
<tr>
<th>Building Feature</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings that commit to installing new sprinkler system</td>
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<td>Historic Preservation</td>
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</table>

2021 Proposed Back Alley Downtown Fire Loop Map
Sample Project Budgets

The following examples illustrate how multiple grants can be layered in a project.

- **EXAMPLE 1: Building Rehabilitation – Upper floor residential conversion**

  **Assumptions:**
  - Total Rehab Costs – $1,200,000
  - 6 new residential units
  - $32,000 back-alley fire line expansion

<table>
<thead>
<tr>
<th>Grant Program</th>
<th>Maximum Eligible Award</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Rehab</td>
<td>$50,000 (25% of costs / $50,000 max)</td>
<td></td>
</tr>
<tr>
<td>Residential Prod.</td>
<td>$60,000 ($10,000 per unit * 6 units)</td>
<td></td>
</tr>
<tr>
<td>Fire Suppression</td>
<td>$16,000 (50% of fire line costs)</td>
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</tr>
<tr>
<td><strong>Total City Incentives</strong></td>
<td><strong>$126,000</strong></td>
<td></td>
</tr>
</tbody>
</table>

- **EXAMPLE 2: Building Rehabilitation – Upper floor residential conversion**

  **Assumptions:**
  - Total Rehab Costs – $15,000,000
  - 40 new residential units
  - Has access to existing fire line – applying grant to sprinkler system with 40,000 sq. ft. of building area protected

<table>
<thead>
<tr>
<th>Grant Program</th>
<th>Maximum Eligible Award</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Rehab</td>
<td>$50,000 (25% of costs / $50,000 max. grant)</td>
<td></td>
</tr>
<tr>
<td>Residential Prod.</td>
<td>$100,000 ($10,000 per unit * 40 units / $100,000 max. grant)</td>
<td></td>
</tr>
<tr>
<td>Fire Suppression</td>
<td>$25,000 ($2 per sq. ft. of area covered/ $25,000 max grant)</td>
<td></td>
</tr>
<tr>
<td><strong>Total City Incentives</strong></td>
<td><strong>$175,000</strong></td>
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</tbody>
</table>
DOWNTOWN REVITALIZATION INCENTIVE (DRI) GRANTS – 2021 PROGRAM REVISIONS

SALISBURY CITY COUNCIL, OCTOBER 19
DOWNTOWN REVITALIZATION OVERVIEW

Grants to stimulate private investment in downtown properties. Designed to promote new development and rehabilitation with an emphasis on downtown residential.

1. Building Rehabilitation
2. Residential Production Grant
3. Residential Utilities Grant
4. Fire Suppression Grant
GRANT IMPACT (2014-2019)
GRANT IMPACT (2014-2019)

- Leveraged $15.2 million in private investment
- Increased tax base by $2.1 million
- Added 23 new residential units
- Increased downtown population approx. 40-50 people
- Created 12 new restaurants/retail spaces
- Added X new office spaces
OVERVIEW OF PROPOSED CHANGES

Particulars
- Building Rehabilitation Grant
- Residential Creation
- Fire Suppression

Process
- Scoring Rubric
- Review Committee
- Establish a Grant Cycle
BUILDING REHABILITATION OVERVIEW

Promotes the stabilization, preservation and reuse of existing buildings by offsetting the costs of permanent improvements to buildings, including items like windows, floors, roofs, façade and building systems like electrical, plumbing and HVAC.

<table>
<thead>
<tr>
<th></th>
<th>CURRENT</th>
<th>PROPOSED</th>
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</thead>
<tbody>
<tr>
<td>Maximum Grant Award</td>
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</tr>
<tr>
<td>Maximum Match</td>
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<td>25% of eligible costs</td>
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<td>Project Cost Threshold</td>
<td>$100,000</td>
<td>$100,000</td>
</tr>
<tr>
<td>Qualification</td>
<td>Existing Building</td>
<td>Building must be &gt;30 years old</td>
</tr>
</tbody>
</table>
RESIDENTIAL CREATION GRANTS (COMBINES RESIDENTIAL PRODUCTION + UTILITIES GRANT)

To promote development of new residences as part of building rehabilitation or new construction by offsetting a portion of infrastructure costs.

<table>
<thead>
<tr>
<th></th>
<th>CURRENT</th>
<th>PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Grant Award</td>
<td>$97,500</td>
<td>$100,000</td>
</tr>
<tr>
<td>Maximum Match</td>
<td>$7,500/unit</td>
<td>$10,000/unit</td>
</tr>
<tr>
<td>Minimum Development Cost</td>
<td>$50/sq. ft.</td>
<td>$75/sq. ft.</td>
</tr>
</tbody>
</table>
To encourage the use and expansion of back-alley fire lines capable of serving multiple buildings and preventing catastrophic fire loss.

<table>
<thead>
<tr>
<th></th>
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<th>PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Grant Award</td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
<tr>
<td>Maximum Match</td>
<td>50% of costs associated with expanding back-alley fire lines</td>
<td>50% of costs associated with expanding back-alley fire lines</td>
</tr>
<tr>
<td>Sprinklers</td>
<td>Grant available <strong>only</strong> if back-alley fire system is already accessible ($2/sf of protected area)</td>
<td></td>
</tr>
</tbody>
</table>
PROCESS CHANGES – SCORING RUBRIC

- **Visibility and Impact:** presence on blocks on major streets
- **Street Level Activation:** # of restaurant, retail or entertainment spaces created
- **Historic Status:** contributing resource to the historic district
- **Residential Units:** # of residential units created/rehabilitated
- **Affordability:** # of units affordable to households earning 80% of AMI or less created/rehabilitated
PROCESS CHANGES – SCORING RUBRIC, CONTINUED

- **Diversity, Equity and Inclusion:** contracting with minority or woman owned business for architecture, engineering, and general contracting

- **Green Building Elements:** inclusion of solar panels, green roofs, rain water cisterns

- **Publicly Visible Art Installations:** installation of murals, sculptures, etc visible to public

- **Grant to Investment Ratio:** maximum eligible grant/total investment

- **Fire Protection:** # of buildings served by a fire loop expansion
BACK ALLEY FIRE LOOP SYSTEM
**PROCESS CHANGES – REVIEW COMMITTEE**

**Roles**
- Review applications and assign points using the scoring rubric
- Provide recommendations to City Council in the event funding is limited

**Membership**
- Seven members. At least 3 members must be Hispanic or non-White.
  1. Local architect, engineer, contractor (who is not involved in any application)
  2. Downtown business owner or resident (who is not involved in any application)
  3. Member of the Chamber of Commerce’s Minority Business Council
  4. Member of DSI Economic Vitality Committee
  5. Member of Historic Preservation Commission
  6. Finance Department staff
  7. Salisbury Rowan Utilities staff
PROCESS CHANGES – ESTABLISH GRANT CYCLE

Application/Award

- September/October: Call for Applications
- December: Application Deadline/Review Committee Recommendations
- January: Public Hearing/Council Awards

Project Construction

- Six Month Progress Milestone
- Twelve Month Construction Milestone
- Two Year Completion Milestone

This would be in a typical year; this year will be modified.
QUESTIONS

Hannah Jacobson, AICP
Planning Director
Hannah.Jacobson@SalisburyNC.gov
704-638-5230

Website: www.salisburync.gov/grants
Requested Council Meeting Date: October 19, 2021

Name of Group(s) or Individual(s) Making Request:

Name of Presenter(s):

Requested Agenda Item: Announce the next regularly scheduled Council meeting will be held Wednesday, November 3, 2021 at 6:00 p.m.

Description of Requested Agenda Item: When Council adopted its meeting schedule for 2021, it set the first meeting in November for Wednesday, November 3.

Attachments: Yes No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds $100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

Action Requested of Council for Agenda Item: Announce the next regularly scheduled meeting of City Council will be held Wednesday, November 3, 2021.

(Please note if item includes an ordinance, resolution or petition)

Contact Information for Group or Individual: Kelly Baker

□ Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

□ Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

_________________________________  __________________________________________
Finance Manager Signature             Department Head Signature

_________________________________
Budget Manager Signature

****All agenda items must be submitted at least 7 days before the requested Council meeting date***
<table>
<thead>
<tr>
<th>Approval Status</th>
<th>Reason:</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Approved</td>
<td></td>
</tr>
<tr>
<td>□ Delayed</td>
<td></td>
</tr>
<tr>
<td>□ Declined</td>
<td></td>
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</tbody>
</table>
Salisbury City Council
Agenda Item Request Form

Please Select Submission Category:  □ Public  □ Council  □ Manager  □ Staff

Requested Council Meeting Date:  October 19, 2021

Name of Group(s) or Individual(s) Making Request:  Salisbury Parks and Recreation Department

Name of Presenter(s):  Announcement

Requested Agenda Item:  Halloween Fun Fest

Description of Requested Agenda Item:  The Salisbury Parks and Recreation Department in partnership with Downtown Salisbury Inc. will host the annual Halloween Fun Fest in downtown Salisbury and Bell Tower Green on Saturday, October 30, 2021 from 5:00-8:30 p.m. Activities will include Trick-or-Treating with the Downtown merchants from 5:00-6:00 pm followed by live entertainment and a costume contest for all ages from 6:00-7:00 pm, and ending the evening with a movie showing of The Addams Family from 7:00-8:30 pm. All activities are FREE. This family event is open to the public.

Attachments:  □ Yes  □ No

Fiscal Note:  (If fiscal note requires approval by finance department because item exceeds $100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

Action Requested of Council for Agenda Item:  (Please note if item includes an ordinance, resolution or petition)

Contact Information for Group or Individual:
Vivian Koontz
(704) 638-5294

☐ Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

☒ Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

_________________________________  __________________________________
Finance Manager Signature  Department Head Signature

_________________________________
Budget Manager Signature

****All agenda items must be submitted at least 7 days before the requested Council meeting date****

For Use in Clerk’s Office Only

☐ Approved  ☐ Delayed  ☐ Declined

Reason: