

Salisbury, North Carolina
June 7, 2005

REGULAR MEETING

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

ABSENT: None.

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

RECOGNITION OF VISITORS

Mayor Kluttz recognized all visitors present. She extended a special welcome to Ms. Elizabeth Bigalow who has recently taken the position of Project Manager with Downtown Salisbury, Inc., Miss Allie Brindle, daughter of Traffic Engineer Wendy Brindle, and Mr. Seth Morris, son of Planning and Community Development Manager Joe Morris and member of St. John's Lutheran Church Boy Scout Troop 443.

PLEDGE OF ALLEGIANCE

- Mr. Seth Morris led those present in the Pledge of Allegiance to the United States flag.

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ADDITIONS/DELETIONS TO THE AGENDA

Mayor Kluttz noted the following changes to the Agenda:

Postpone item 13 – Council to receive a report from staff regarding the Pearl Street, Tower Drive, and Davis Street Railroad Crossings.

Postpone item 17 – Council to consider an appointment to the Zoning Board of Adjustment.

PROCLAMATION

Mayor Kluttz proclaimed the following observance:

DAY OF THE ARTS June 18, 2005

RECOGNIZE THE SALISBURY POST FOR THEIR 100TH ANNIVERSARY

Mayor Kluttz recognized The Salisbury Post for their 100th anniversary, noting that it has been the primary means of communication for 100 years and has been a major business and employer in the community. She congratulated The Post for their anniversary celebration which included a free concert by the Salisbury-Rowan Symphony. She presented a Certificate of Recognition to Salisbury Post Publisher Lucy Talley, and Editor Elizabeth Cook.

CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of May 17, 2005, the special meeting of May 19, 2005, and the recessed meetings of May 24, 2005 and May 31, 2005.

(b) ArcGIS Training

Adopt a budget ordinance amendment to the FY2004-2005 budget in the amount of \$2,600 to appropriate fees received for ArcGIS training.

AN ORDINANCE AMENDING THE 2004-2005 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA, TO APPROPRIATE FEES RECEIVED FOR ARC-GIS CLASS.

(The above ordinance is recorded in full in Ordinance Book No. 20, Budget, at Page No. 28, and is know as Ordinance No. 2005-25.)

(c) Street Closing - Oak Grove Freedman Cemetery Groundbreaking

Approve closing the 200 block of North Church Street and 200 block of West Liberty Street from 2:00 p.m. until 4:00 p.m., Sunday, June 19, 2005 for the Oak Grove Freedman's Cemetery Memorial groundbreaking.

(d) Street Closing - Short Street Community Cookout

Approve closing a section of Short Street from Bost Street to the dead-end from 12:00 noon until 10:00 p.m. Saturday, July 2, 2005 for the Short Street Community cookout.

(e) Final Subdivision Plat S-01-05 - Winn Dixie Crown Plaza

Approve final subdivision plat S-01-05 Winn Dixie Crown Plaza in accordance with group development site plan G-01-87.

(f) Alley Closing - 1600 Block of North Lee Street

Receive a petition to close alleys located in the 1600 block of North Lee Street and adopt a resolution setting a public hearing July 5, 2005.

RESOLUTION PERTAINING TO THE PROPOSED CLOSING OF ALLEYS IN THE 1600 BLOCK OF NORTH LEET STREET.

(The above Resolution is recorded in full in Resolution Book No. 12, Page 21, and is known as Resolution No. 2005-17.)

(g) Final Subdivision Plat S-02-05 - The Gables, Phase 1-A

Approve final subdivision plat S-02-05 The Gables, Phase 1-A, subject to receipt of a guarantee of improvements in accordance with Section 5.03.2 of the Subdivision Ordinance.

Councilman Burgin indicated he needed to pull item e - Final Subdivision Plat S-01-05 - Winn Dixie Crown Plaza due to a possible conflict of interest.

Thereupon, Mr. Kennedy made a **motion** to adopt the Consent Agenda with the exception of item (e) Final Subdivision Plat S-01-05 - Winn Dixie Crown Plaza. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

Thereupon, Mr. Kennedy **made** a motion to excuse Councilman Burgin from voting on item 7(e) S-01-05 Winn Dixie Crown Plaza. Mr. Lewis seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

Thereupon, Mr. Kennedy made a **motion** to adopt 7(e) S-01-05 Winn Dixie Crown Plaza. Mr. Lewis seconded the motion. Messrs. Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

SPECIAL USE PERMIT - SUP-01-05 - WAL-MART STORES, INC.

Wal-Mart Stores, Inc. - 323 South Arlington Street

(a) Swearing In

Mayor Kluttz swore in the following person to testify in this case:

Mr. David Phillips

(b) Evidence Presented

Mr. David Phillips, Zoning Administrator, informed Council that this request is for a special use permit for the Wal-Mart Super Center located at 323 South Arlington Street. He reviewed the site plan of the location depicting the building and parking. He stated that the request came from Ms. Kendra Buford, a Realty Manager for Wal-Mart Stores and is for a special use permit for an outdoor display area per the City Code Section 12.25. Mr. Phillips noted that the existing property is zoned B-6 and the building is approximately two hundred five thousand (205,000) square feet with approximately one thousand thirty-two (1032) parking spaces. Mr. Phillips stated that Section 12.25 Prohibition of open space storage in certain districts states that “there shall be no open storage allowed in any office institutional or commercial district; however, outdoor display areas may be allowed in B-6 and B-7 districts through the issuance of a special use permit as described in Section 7.10(III)(h).”

Mr. Phillips reviewed the conditions listed under 7.10(III)(h) of the Zoning Ordinance for which a special use permit can be issued. These included:

- The maximum allowable area for an outdoor display area shall be ten (10) percent, though City Council in its review for issuance of the special use permit or reconsideration, may reduce the ten (10) percent to some lesser percentage
- Council may set a time limitation for applicability, such as the months of January through October, which could be made applicable for one year, several years, or an indefinite number of years – until the permit is reevaluated
- This provision shall apply only in the B-7 Limited Business or B-6 General Business zoning districts
- This provision shall be restricted to buildings with more than eighty thousand (80,000) square feet
- Certain uses/materials shall be prohibited, including tents, trailers, fertilizer, and any other materials prohibited by the National Pollution Elimination Discharge System. In addition, Council may add other uses/materials that shall be eliminated, on a case-by-case review of individual special use permits
- Identification of the outdoor display area shall be shown on the group development site plan
- Though “outdoor storage” is permitted in industrial districts that type of “outdoor storage” is not the same as “outdoor display areas” described in this part, and shall not be used for the purposes described here
- As with other special use permits, Council may revoke a permit, review a permit, or even amend a permit if there were circumstances that could cause this to happen. The procedure for review, including Planning Board involvement, is outlined in subsection I Procedures of this Section

Mr. Phillips noted that the applicant has requested use of the allowable maximum of ten (10) percent of their parking spaces, which would be one hundred three (103) parking spaces. He stated that currently they use seventy-two (72) spaces for display, which is seven (7) percent of their allowable space; however they would like to have the ability to expand to ten (10) percent if they see the need for additional display area.

Mr. Phillips informed Council that the special use permit request for the property has been advertised in the newspaper and on the site as required. The request has been reviewed by the Planning Board, who heard the same facts presented to Council today. He noted that Wal-Mart has requested their time frame be set from February through July of each year on a reoccurring basis. He added that Council can call in the permit at any time for reevaluation. Mr. Phillips indicated that the Planning Board has recommended that the request be granted to allow Wal-Mart to use the maximum of ten (10) percent of their total parking spaces for outdoor display for the timeframe of February through July on an annual basis or until City Council determines the permit needs to be reevaluated.

Councilman Burgin noted that Mr. Phillips indicated Council’s reevaluation of the permit is based on cause and stated that his preference is that Council can reevaluate at any time.

Mayor Klutz then opened the public hearing and asked anyone who wished to speak to come forward to be sworn in.

There being no one present to speak **for** or **against** the special use permit request, Mayor Klutz closed the public hearing.

(c) Findings of Facts

Councilman Lewis offered the following Findings of Facts:

1. That the applicant, Kendra Buford, Realty Manager for Wal-Mart Stores, Inc., has applied for a Special Use Permit to establish an outdoor display area as allowed by Section 12.25 of the Salisbury Code of Ordinances
2. The property in question may be identified as 323 South Arlington Street or Parcel 001 as found on Rowan County Tax Map 059-A
3. That the existing use of the property is retail which is a permitted use in the General Business District (B-6)
4. The square footage of the existing structure is approximately two hundred five thousand (205,000) square feet
5. Total number of existing parking spaces is one thousand thirty-two (1,032)
6. Section 12.25 Prohibition of open space storage in certain districts states: There shall be no open storage allowed in any office institutional or commercial district. However, ‘outdoor display areas’ may be allowable in the B-6 and B-7 districts through issuance of a special use permit, as described in Section 7.10, subsection III, part (h)
7. That Section 7.10 Special Use Permit paragraph (III)(h) of the Zoning Ordinance states that the City Council may authorize a Special Use Permit for the establishment of an outdoor display area Special Use Districts provided that:
 - a. The maximum allowable area for an outdoor display area shall be ten (10) percent, though City Council in its review for issuance of the special use permit or reconsideration may reduce the ten (10) percent to some lesser percentage
 - b. Council may set a time limitation for applicability, such as the months of January through October, which could be made applicable for one year, several years, or an indefinite number of years – until the permit is reevaluated

- c. This provision shall apply only in the B-7 Limited Business or B-6 General Business zoning districts
 - d. This provision shall be restricted to buildings with more than eighty thousand (80,000) square feet
 - e. Certain uses/materials shall be prohibited, including tents, trailers, fertilizer, and any other materials prohibited by the National Pollution Elimination Discharge System. In addition, Council may add other uses/materials that shall be eliminated, on a case-by-case review of individual special use permits
 - f. Identification of the outdoor display area shall be shown on the group development site plan
 - g. Though 'outdoor storage' is permitted in industrial districts, that type of 'outdoor storage' is not the same as 'outdoor display areas' described in this part, and shall not be used for the purposes described here
 - h. As with other special use permits, Council may revoke a permit, review a permit, or even amend a permit if there were circumstances that could cause this to happen. The procedure for review, including Planning Board involvement, is outlined in subsection I Procedures of this Section
8. The applicant has requested the maximum allowance of parking spaces, ten (10) percent, be used for the outdoor display area. If granted this would accommodate approximately one hundred three (103) parking spaces. They are also asking that the approval be granted for an indefinite number of years or until the City sees the need for the permit to be reevaluated
 9. Notification for SUP-01-05 has been properly advertised in The Salisbury Post and the property has been posted for the hearing dates
 10. The Planning Board voted unanimously (11-0) April 26, 2005 to recommend approval of SUP-01-05 for the use of a maximum of ten (10) percent of the one thousand thirty-two (1032) parking spaces to be allocated to the outdoor display area as shown on the group development site plan during the months of February through July 31 on an annual basis or until just cause to reevaluate the permit

(d) Decision

Thereupon, Mr. Lewis made a **motion** to issue special use permit 01-05 to run from February through July 31 annually unless it is reevaluated by City Council. Mr. Woodson seconded the motion. Mr. Burgin clarified that the motion allows Council to review the permit regardless of just cause. Mr. Lewis agreed. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

VOLUNTARY ANNEXATION OF 11.364 ACRES TO INCLUDE DRUMMOND VILLAGE, PHASE 1

(a) Mr. Patrick Ritchie, Staff Engineer, informed Council that Drummond Village is a residential subdivision under construction on Stokes Ferry Road. He noted that it is located adjacent to the City Limits and the developer is requesting voluntary annexation. He stated that, following the public hearing, if Council wishes to proceed an ordinance annexing 11.364 acres into the City of Salisbury with an effective date of June 30, 2005, will need to be adopted.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, to consider voluntary annexation of 11.264 acres to include Drummond Village, Phase 1.

There being no one to speak **for** or **against** the voluntary annexation, Mayor Kluttz closed the public hearing.

(c) Thereupon, Mr. Burgin made a **motion** to adopt an Ordinance annexing Drummond Village, Phase 1, effective June 30, 2005. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, 11.364 ACRES TO INCLUDE DRUMMOND VILLAGE PHASE 1.

(The above Ordinance is recorded in full in Ordinance Book No. 20, Miscellaneous, at Page Nos. 29-30, and is known as Ordinance No. 2005-26.)

VOLUNTARY ANNEXATION OF 20.332 ACRES TO INCLUDE THE GABLES, PHASE 1

(a) Mr. Patrick Ritchie, Staff Engineer, informed Council that The Gables, Phase 1, is a residential subdivision located off of Faith Road. He indicated that a public hearing concerning the voluntary annexation was held at Council's last meeting. He explained that because there was a question raised concerning the requirements of the Ordinance staff requested Council to delay the adoption of the Ordinance until more information was obtained.

Mr. Ritchie stated that staff has researched voluntary annexation and General Statute 160A-58.1(b)(2) states that if a City has an annexation agreement with a neighboring municipality that the City annexing the area may proceed. He stated that Salisbury does have an annexation agreement in place with Granite Quarry which gives the City the authority to annex any areas within the City's extraterritorial jurisdiction (ETJ)

Mr. Ritchie indicated that the Ordinance will annex 20.332 acres in The Gables, Phase 1 effective June 30, 2005.

(b) Thereupon, Mr. Woodson made a **motion** to annex 20.332 acres in The Gables, Phase 1 with an effective date of June 30, 2005. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, 20.332 ACRES TO INCLUDE THE GABLES PHASE 1.

(The above Ordinance is recorded in full in Ordinance Book No. 20, Miscellaneous. At Page Nos. 31-32, and is known as Ordinance No. 2005-27)

FY2005-2006 CITY BUDGET

City Manager David Treme indicated that Council has received a copy of a Budget Ordinance for FY2005-2006 and stated that it is inclusive of the changes made by Council during its budget workshops. He noted that Council has also been provided with a list of deletions and additions that were made. He stated that these changes are reflected in the Budget Ordinance and it represents a no tax increase budget. Mr. Treme commented that the budget also reflects a 6.9% average increase in the water and sewer rate.

Mayor Kluttz commented that the budget was initially presented to Council with a recommend one and one-half (1 ½) cent tax increase. Council then held a public hearing at which no one spoke, followed by two (2) separate budget workshops. She added that Council members also spent many hours individually working with staff to find cuts for a no tax increase budget. She stated that she had received a telephone call from a citizen who was upset about the water/sewer rate increase because he felt it was due to the City serving the municipalities, particularly China Grove and Landis. Mayor Kluttz explained that the water rates have increased in the past because of the loss of large industrial users and the City offers water to other municipalities as a way to grow the customer base and bring down the cost. She added that Council would never expand the water system at the cost of the current customers.

Mayor Pro Tem Woodson stated that he still feels the request from the Rowan Business Alliance for \$5,000 to be used for a credit counselor is very important. Councilman Kennedy commented that this is a small amount to help citizens with credit problems manage their debts. Mr. Treme stated that he feels this money could be taken from the current year-end or possibly through the Community Development Corporation (CDC) to meet the need, rather than impact the budget as presented to Council. Council agreed to fund the request from year-end funds or the CDC.

Thereupon, Mr. Burgin made a **motion** to adopt the budget Ordinance for the City of Salisbury for the fiscal year beginning July 1, 2005 and ending June 30, 2006 with a no tax increase position and also to adopt the water and sewer rate to be an average increase of 6.9%. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

BUDGET ORDINANCE OF THE CITY OF SALISBURY FOR THE FISCAL YEAR BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2006.

(The above Ordinance is recorded in full in Ordinance Book No. 20, Budget, at Page Nos. 33-48, and is known as Ordinance No. 2005-28.)

AWARD CONTRACT - OAK GROVE FREEDMAN'S CEMETERY MEMORIAL PROJECT

Mr. Joe Morris, Planning and Community Development Manager, and Ms. Lynn Raker, Urban Design Planner, informed Council that bids have been opened for construction of the Oak Grove Freedman's Cemetery Memorial Project. The lowest bid received was from Mustang Enterprises, Inc. in the amount of \$185,475. Staff recommends awarding the construction contract to Mustang Enterprises for \$185,475.

Mr. Morris pointed out that the budget analysis for the project includes an assumed award of an Innes Street Grant in the amount of \$7,479. He stated that the Memorial Project Committee is committed to continue raising funds, in addition to the approximately \$200,000 already raised for the project. He explained that the Committee has raised \$205,566 or eighty-eight (88) percent of the budget. Approximately \$19,000, or eight (8) percent, will be used from T-21 funding for sidewalk adjacent to the project. The remaining portion of the project will be from the assumed Innes Street Grant in the amount of \$7,479 or little over three (3) percent of the project. Mr. Morris stated that as the Memorial Committee continues to raise money for the Project the amount sought from the Innes Street Grant will be reduced.

Thereupon, Mr. Kennedy made a **motion** to award the contract to Mustang Enterprise, Inc. for \$185,475 for the Oak Grove Freedman's Cemetery Memorial Project. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

PEARL STREET, TOWER DRIVE AND DAVIS STREET RAILROAD CROSSINGS

This item was postponed until a later meeting.

MAIN STREET PARKING

Ms. Wendy Brindle, Traffic Engineer, updated Council on parking issues along Main Street, noting that Main Street was resurfaced in the fall. The North Carolina Department of Transportation (NCDOT) re-striped the lanes and the City placed temporary parking lines. She stated that after the temporary parking was in place staff noticed that parked vehicles encroached into the outside travel lanes and that NCDOT had shifted the lane lines approximately six (6) inches toward the outside lane. This made the encroachment more obvious, particularly in the 200 blocks of North and South Main Street. To help alleviate the problem staff redesigned the spaces in the two blocks. Ms. Brindle stated that the redesigned spaces seem to be effective and if Council agrees staff would like to put in permanent markings.

Councilman Lewis asked how many parking spaces were lost with the redesign. Mr. Brindle responded that three (3) spaces were lost in the 200 block of South Main Street. In the 200 block of North Main two spaces were gained for a net loss of one (1) space. Mr. Lewis asked if the

Downtown Salisbury, Inc. (DSI) Parking Committee had reviewed the redesign. Ms. Brindle responded that the DSI Parking Committee was involved with the re-striping process and Mr. Randy Hemann, DSI Executive Director, had assisted in distributing information to the downtown businesses.

By consensus, Council agreed to proceed with the permanent markings.

PARKING - 100 BLOCK OF EAST 12TH STREET

Ms. Wendy Brindle, Traffic Engineer, noted that the restriction of parking in the 100 block of East 12th Street was brought before Council at its last meeting at which time additional information was requested. She informed Council that she has spoken with Henderson Independent High School Principal Robert Pulliam who explained the operation of the school. She stated that the school generally starts the year with eighty-five (85) to ninety (90) students but the enrollment changes on a weekly basis. The school operates five (5) buses that enter and exit on East 12th Street. She explained that students are dismissed from the side door and by limiting parking in the area requested, car riders will remain on the sidewalk and will not conflict with the buses or cars. She stated that Mr. Pulliam indicated that the school requires an orientation of all parents of the students and the information regarding the parking restriction can be distributed during the orientations.

Mayor Pro Tem Woodson asked where the cars will park for those that pick up their children. Ms. Brindle explained that there is space further along 12th Street and the school feels it will be adequate for the car riders as well as keep the students on the sidewalk out of the traffic flow area.

Thereupon, Mr. Kennedy made a **motion** to adopt the Ordinance amending Section 13-338, Article X, Chapter 13, of the Code of the City of Salisbury relating to parking prohibited at all times on 12th Street, two hundred fifty (250) feet east of Main Street. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

AN ORDINANCE AMENDING SECTION 13-338, ARTICLE X, CHAPTER 13, OF THE CODE OF THE CITY OF SALISBURY, RELATING TO PARKING PROHIBITED AT ALL TIMES.

(The above Ordinance is recorded in full in Ordinance Book No. 20, Traffic, at Page No. 49, and is known as Ordinance No. 2005-29.)

STAFF REPORT - INTERSECTION OF HENDERSON STREET AND CONFEDERATE AVENUE

Ms. Wendy Brindle, Traffic Engineer, noted that at its May 17 meeting, Council requested staff evaluate the operation of Henderson Street and Confederate Avenue. She noted that Henderson Street is part of the detour for Mocksville Avenue while the hospital expansion is under construction. She stated that the project is currently on schedule to reopen Mocksville Avenue on September 1, 2005, ending the detour.

Ms. Brindle informed Council that staff took volume counts on April 27-28, 2005 to determine the peak hour of the intersection and it was identified to be 3:00 p.m. – 4:00 p.m., which corresponds with the shift change at the hospital. She stated that this volume data was used to calculate a safety performance measure for the intersection. The predicted safety performance measure for the intersection is 1.74 crashes per year and the actual safety performance measure, based on actual volumes, is one (1) crash per year, which falls below the predicted value indicating a safer intersection.

Ms. Brindle stated that staff calculated speeds on Confederate Avenue and the 85th percentile speed was calculated at 34 mph, which means eighty-five (85) percent of the vehicles were traveling below the posted speed limit of 35mph.

Ms. Brindle noted that staff also calculated the delay for vehicles trying to exit Henderson Street onto Confederate Avenue. She stated that the study was performed during the peak hour and that there was an average delay of thirty-seven (37) seconds per vehicle. She explained that based on the Manual of Uniform Traffic Control Devices (MUTCD) this is not enough delay to warrant further control measures. She noted that a signalized intersection would most likely run on a ninety (90) second cycle length and would introduce a delay onto the major street (Confederate Avenue) which is not present now. Ms. Brindle stated that staff recommends no further action at this time except to continue to observe the intersection for the duration of the detour and then perform a follow-up study once the detour is removed.

Mayor Pro Tem thanked staff for performing the study and providing the information.

BOARDS AND COMMISSIONS

Zoning Board of Adjustment

This item was postponed until the next Council meeting.

COMMENTS FROM THE CITY MANAGER

(a) Planning Board Recommendations

Council received Planning Board recommendations and comments from their May 24, 2005 meeting.

(b) Date for Future Direction and Goal Setting Retreat

City Manager David Treme requested Council bring their calendars to the June 21, 2005 meeting in order to determine a date for the Future Directions and Goal Setting Retreat. He noted that the planning session was held earlier than normal this year and it enabled staff to prepare the budget earlier and to include the proposals by Council in advance of the budget sessions.

(c) Recognition of Mr. Brian Moore

City Manager David Treme recognized Mr. Brian Moore and announced that Mr. Moore was recently promoted to Solid Waste Supervisor. Council congratulated Mr. Moore on his promotion.

MAYOR'S ANNOUNCEMENTS

(a) Oak Grove Freedman's Memorial Cemetery Project

Mayor Kluttz announced that a groundbreaking ceremony for the Oak Grove Freedman's Memorial Cemetery Project will be held at 3:00 p.m. Sunday, June 19, 2005 at Soldiers Memorial AME Zion Church, 306 North Church Street.

(b) West End Open House

Mayor Kluttz reported that the Salisbury Community Development Corporation held an open house May 26, 2005 to celebrate new houses in the West End neighborhood. She noted that many partners from the community provided their talents for the homes, including Councilman Burgin who provided architectural services.

(c) Receipt of Robertson Foundation Grant

Mayor Kluttz announced that the City has received \$125,000 in funding from the Robertson Foundation to be used to pursue a grant for the Salisbury Sports Complex on South Boundary Street.

(d) Ribbon Cutting for Coldstone Creamery

Mayor Kluttz informed Council that she attended a ribbon cutting for a new business, Coldstone Creamery, June 4, 2005. She stated that the owner, Mr. Sean Quail, informed her that the entire process of opening the business was wonderful for him due to the cooperation of City staff. He stated that he has been in business many years in the Virginia/Washington, D.C. area and had never encountered staff that was this helpful and flexible and it made it a pleasure to open a business in Salisbury.

(e) June 21, 2005 Council Meeting

Mayor Kluttz informed Council that she will not be in attendance at the June 21, 2005 meeting.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Burgin, seconded by Mr. Kennedy. All council members agreed unanimously to adjourn at 5:08 p.m.

Mayor

City Clerk