City of Salisbury
North Carolina

COUNCIL MEETING AGENDA

October 20, 2020
6:00 p.m.

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 20, 2020 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 observance:

MAKE A DIFFERENCE DAY
October 24-25, 2020

6. Council to consider the CONSENT AGENDA:

(a) Adopt Minutes of the Regular meeting of October 6, 2020 and the Emergency meeting of October 10, 2020.

(b) Approve a Right-of-Way Encroachment by TEP Fiber for the installation of directional bored duct on West Monroe and South Craige Streets per Section 11-24 (27) of the City Code.

(c) Approve a Right-of-Way Encroachment by Hotwire Communication for the installation of directional bored duct on Spruce Drive per Section 11-24 (27) of the City Code.

(d) Award Lieutenant Gregory Beam his sidearm and badge in recognition of his retirement from the Salisbury Police Department May 1, 2020.

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 adopting a RESOLUTION establishing the “Share 2 Care” Water and Sewer Assistance Fund. (Presenters – Finance Director Shannon Moore and Communications Director Linda McElroy)
9. Council to receive a presentation regarding incentives for “Project Hero” and consider setting a public hearing for November 3, 2020 to receive public input. (Presenter – Rowan Economic Development Commission Vice-President Scott Shelton)

10. Council to consider adopting a **RESOLUTION** authorizing the upset bid process for the sale of Parcel 025-013 located in the 1000 block of Barbour Street (Presenter – City Engineer Wendy Brindle)

11. Council to receive an update on the Kiva loan program. (Presenter – Council Member David Post)


15. Council’s Comments.

16. Mayor Pro Tem’s Comments.

17. Mayor’s Comments.

18. Adjourn.

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

Mayor Alexander noted two changes to the Agenda:

Add – a Proclamation to designate October 2020 as Substance Abuse Prevention Month
Add – Council to go into Closed Session regarding a personnel matter as allowed by NCGS 143-318(a)(6).
Thereupon, Councilmember Post made a motion to adopt the Agenda with the additions. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

PROCLAMATIONS

Mayor Alexander proclaimed the following observances:

- RUTH BADER GINSBURG REMEMBRANCE DAY – September 18, 2020
- NAACP FREEDOM FUND DAY – October 24, 2020
- ROWAN COUNTY UNITED WAY MONTH – October 2020
- NATIONAL CRIME PREVENTION MONTH – October 2020
- DOMESTIC VIOLENCE AWARENESS MONTH – October 2020
- SUBSTANCE ABUSE PREVENTION MONTH – October 2020

CONSENT AGENDA

(a) Minutes

Adopt Minutes of the Regular meetings of September 1, 2020 and September 15, 2020 and the Special meeting of September 23, 2020.

(b) Parking Prohibited – 600 Block of West Liberty Street - POSTPONED

Adopt an ORDINANCE amending Chapter 13, Article X of the City Code of Ordinances related to parking prohibited at all times for the south side of the 600 block of West Liberty Street. This item was removed from the Consent Agenda and postponed until October 20, 2020.

(c) Budget Amendment – Park Flood Repairs

Adopt a budget ORDINANCE Amendment to the FY2020-2021 budget in the amount of $10,000 to appropriate a grant and donation for Parks and Recreation for various projects related to park flood repairs.

ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE DONATIONS IN GENERAL FUND FOR PARKS AND RECREATION

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 76, and is known as Ordinance 2020-48.)
(d) **Budget Amendment – Tennis Courts and Recreational Education Days**

Adopt a budget **ORDINANCE** Amendment to the FY2020-2021 budget in the amount of $25,500 to appropriate grants and donations for Parks and Recreation to assist with the resurfacing of tennis courts and recreational education days.

**ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE DONATIONS IN GENERAL FUND FOR PARKS AND RECREATION**

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 77, and is known as Ordinance 2020-49.)

(e) **Budget Amendment – Paul Bruhn Historic Revitalization Grant**

Adopt a budget **ORDINANCE** Amendment to the FY2020-2021 budget in the amount of $543,185 to appropriate funds received for the Paul Bruhn Historic Revitalization Grants Program.

**ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE REVENUE FROM PAUL BRUHN HISTORIC REVITALIZATION GRANTS PROGRAM**

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 78, and is known as Ordinance 2020-50.)

(f) **Sole-Source Purchase – Fire Rescue Tools**

Approve a sole-source purchase from Spartan Fire and Emergency Apparatus in an amount not to exceed $68,230 for the purchase of portable rescue tools.

(g) **Amendment 1 – LaBella – Water Treatment Plant Improvements**

Authorize the City Manager to execute Amendment No. 1 with LaBella in an amount not to exceed $20,000 for construction material testing and special inspection services associated with the Water Treatment Plant Improvements Project.

(h) **Agreement – Yadkin River Raw Water Supply System**

Authorize the City Manager to execute an agreement with Black & Veatch International Company for an amount not to exceed $250,000 for engineering services associated with the Yadkin River Raw Water Supply System. Funds for this project are included in the FY2020-2021 budget.
(i) Agreement – Water Storage Tank Condition Assessment and Improvement Program

Authorize the City Manager to execute an agreement with Highfill Infrastructure Engineering, P.C. in the amount of $101,000 for engineering services related to the development and implementation of the Water Storage Tank Condition Assessment and Improvement Program. Funds for this project are included in the FY2020-2021 budget.

Councilmember Post expressed concern that residents impacted by the parking prohibition proposed for the south side of the 600 block of West Liberty Street may not be aware of the change. He requested this item be postponed until the October 20, 2020 meeting to ensure notification.

City Engineer Wendy Brindle stated notices were mailed to the residents on West Liberty Street. She indicated postponing the item until the next meeting will allow her to verify the verification process.

Thereupon, Councilmember Post made a motion to adopt the Consent Agenda with the postponement of Item B. 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.

CITY ATTORNEY’S REPORT

City Attorney Graham Corriher had nothing to report to Council.

CITY MANAGER’S REPORT

City Manager Lane Bailey updated Council on the sales tax revenue received for June, the final quarter of FY2019-2020. Finance Director Shannon Moore indicated the sales tax received for the last quarter is the highest on record. She stated the City had budgeted $7.65 million in sales tax revenue and actually received $8.4 million.

Mr. Bailey noted this is great financial news for the City, but he cautioned the City may still face reduced revenues as the fiscal year progresses.
ANNOUNCEMENTS

(a) **10th Annual BlockWork**

Mayor Alexander announced the 10th annual BlockWork neighborhood improvement project will be held Saturday, October 24, 2020 from 7:00 a.m. until 5:00 p.m. and Sunday, October 25, 2020 from 9:00 a.m. until 5:00 p.m. in the 200 block of South Clay Street. Volunteers are needed to help with exterior repairs, painting, carpentry and landscaping. T-shirts, gloves, masks and meals will be provided. BlockWork will follow guidelines related to COVID-19 in accordance with Governor Cooper’s Executive Order. Volunteers are asked to sign-up in shifts. The deadline to sign up to volunteer is Friday, October 16. For more information or to volunteer please visit salisburync.gov/BlockWork.

COUNCIL COMMENTS

Councilmember Sheffield thanked Mayor Alexander for including the Substance Abuse Prevention Month proclamation. She pointed out the important work of the Youth Substance Use Prevention (YSUP) group and commented there could be an increase in substance abuse as the effects of COVID-19 impact the community.

Ms. Sheffield reminded everyone that October 4-10, 2020 is Fire Prevention Week. She also noted the quarterly bulky item pick-up will be held next week.

Councilmember Post pointed out OctoberTour is scheduled for this coming weekend, and he encourage people to attend. He referred to a book written by Pete Prunkl and indicated it highlights the accomplishments of the Historic Salisbury Foundation over the last 40 years.

Mr. Post stated Durham and Buncombe counties have implemented several green initiatives in regards to requiring solar power for buildings of a certain size. He stated it is important to begin thinking of these types of changes as the City looks long-term.

MAYOR PRO TEM COMMENTS

Mayor Pro Tem Heggins indicated she and Mayor Alexander had received a letter regarding plans for voter safety during the current contentious climate. She noted she had forwarded information about a webinar to discuss ways to promote and increase the safety of voters, and she asked City Manager Lane Bailey and Chief Stokes to update Council on the City’s plans to protect voters during the election.

Mayor Pro Tem encouraged citizens to continue to practice COVID-19 safety protocols including wearing a mask and maintaining social distancing.
MAYOR’S COMMENTS

Mayor Alexander announced the City has been selected to receive the Volkswagon Grant which will provide for the purchase of two electric buses. She congratulated Transit Director Rodney Harrison and thanked him for his work on this.

Mayor Alexander noted the City will receive an additional $200,000 in Community Development Block Grant (CDBG) funds from the Housing and Urban Development (HUD), and she stated the Chamber of Commerce has asked if a portion of the funds could be used for small business grants. Mayor Alexander noted many of the small businesses have struggled during COVID-19, and Community Planning Services Director Hannah Jacobson is reviewing how the funds may be allocated.

Mayor Alexander stated she has asked City Manager Lane Bailey to begin a review and update of the City’s Federal Action Plan. She noted she hopes Council will be able to adopt an updated plan by January 2021.

CLOSED SESSION

Mayor Alexander asked for a motion for Council to go into closed session regarding a personnel matter as allowed by as allowed by NCGS 143-318(a)(6).

Thereupon, Councilmember Post made a motion to go into closed session as stated. 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)

RETURN TO OPEN SESSION

Mayor Alexander reconvened the meeting in Open Session. She stated no action was taken in Closed Session.
ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Post. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 8:02 p.m.

___________________________________
Karen Alexander, Mayor

___________________________________
Kelly Baker, City Clerk
EMERGENCY MEETING

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

ABSENT: None

The Salisbury City Council met in an Emergency Meeting Saturday, October 10, 2020 at 1:00 p.m. 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. A moment of silence was taken.

CLOSED SESSION

Thereupon, Councilmember Post made a motion to go into closed session regarding a personnel matter as allowed by NCGS 143-318.11(a)(6). 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)

RETURN TO OPEN SESSION

Mayor Alexander reconvened the meeting in open session. She noted no action was taken during closed session.
ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Post. All Council members in attendance agreed by roll call vote to adjourn. The meeting was adjourned at 2:03 p.m.

__________________________________________
Karen Alexander, Mayor

__________________________________________
Kelly Baker, City Clerk
Salisbury City Council
Agenda Item Request Form

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

Requested Council Meeting Date:  October 20, 2020

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

Name of Presenter(s):  Dana Ruth, Engineer

Requested Agenda Item:  Request from TEP Fiber for encroachment into City Rights-of-Way

Description of Requested Agenda Item:  TEP Fiber requests approval of installation of directional bore duct within the Right-of-Way on W. Monroe Street and S. Craig Street near Livinstone College. City Council approval of encroachments is required by Section 11-24 (27) of the City Code.

Staff review included input from Engineering, Public Services and Salisbury-Rowan Utilities. Staff recommends approval subject to the following conditions:

- All improvements and restoration shall be made at no expense to the City.
- A $20,000 bond will be required prior to construction within the City Limits.
- A pre-construction meeting will be required prior to construction.
- On-site inspection will be required during all critical street crossings.
- Any markers for underground facilities shall be flush with the ground.
- Lane closures shall be coordinated through Engineering.
- TEP Fiber shall participate with the State’s one-call locating program, and appropriate locater tape shall be installed to facilitate future field location.
- Engineering “as-built” plans shall be maintained by TEP Fiber and made available to the City upon request.
- If the City (or State) makes an improvement to the public Right-of-Way, TEP Fiber facilities shall be adjusted or relocated at no expense to the City (or State).

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)

There is no budgetary impact on this item.

Action Requested of Council for Agenda Item:  (Please note if item includes an ordinance, resolution or petition)
City Council to consider approval of a right-of-way encroachment by TEP Fiber per Section 11-24 (27) of the City Code.

Contact Information for Group or Individual:  Dana Ruth - 704-638-5216
**Salisbury City Council**

**Agenda Item Request Form**

- **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)

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**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****

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For Use in Clerk’s Office Only

□ Approved □ Delayed □ Declined

Reason:


Requested Council Meeting Date: October 20, 2020

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

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

Requested Agenda Item: Request from Hotwire Communications for encroachment into City Rights-of-Way

Description of Requested Agenda Item: Hotwire Communications requests approval of installation of directional bored duct within the City Right-of-Way on Spruce Drive. City Council approval of encroachments is required by Section 11-24 (27) of the City Code.

Staff review included input from Engineering, Public Services and Salisbury-Rowan Utilities. Staff recommends approval subject to the following conditions:

- All improvements and restoration shall be made at no expense to the City.
- Any markers for underground facilities shall be flush with the ground.
- Lane closures shall be coordinated through Engineering.
- Hotwire Communications shall participate with the State’s one-call locating program, and appropriate locater tape shall be installed to facilitate future field location.
- Engineering “as-built” plans shall be maintained by Hotwire Communications and made available to the City upon request.
- If the City (or State) makes an improvement to the public Right-of-Way, Hotwire Communications facilities shall be adjusted or relocated at no expense to the City (or State).
- If a pull box is to be installed do not place it over existing sewer line.

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)

There is no budgetary impact on this item.

Action Requested of Council for Agenda Item:  
(Please note if item includes an ordinance, resolution or petition)
City Council to consider approval of a right-of-way encroachment by Hotwire Communications per Section 11-24 (27) of the City Code.

Contact Information for Group or Individual: Wendy Brindle – 704-638-5201
Salisbury City Council
Agenda Item Request Form

☒ 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:
Spruce Dr Extension

EXISTING AERIAL NAP (LCP02-N19)

PLLOW/BORE 54' OF (1) 1" HDPE CONDUIT FROM EXISTING AERIAL NAP POLE TO NEW DROP VAULT LOCATION.

INSTALL (1) NEW UNDERGROUND DROP VAULT.

Hotwire COMMUNICATIONS
Requested Council Meeting Date: 10/20/2020

Name of Group(s) or Individual(s) Making Request: Salisbury Police Department/Chief Jerry Stokes

Name of Presenter(s): Chief Jerry Stokes

Requested Agenda Item: Council to consider bestowing Lieutenant Gregory Beam his sidearm and badge as a recognition of his retirement from the SPD on May 1, 2020.

Description of Requested Agenda Item: Officers retiring from service from the SPD are gifted their sidearm and badge for the nominal fee of $1.00 per NCGS 20-187.2.

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)
In recognition of his service, Council consider gifting Lieutenant Gregory Beam his sidearm and badge.

Contact Information for Group or Individual: Chief Jerry Stokes, SPD 704-638-5333

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:
Salisbury City Council
Agenda Item Request Form

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

Requested Council Meeting Date:  October 20, 2020

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

Name of Presenter(s):  Shannon Moore, Finance Director & Linda McElroy, Communications Director

Requested Agenda Item:  Council to receive a presentation from Staff on “Share 2 Care” Water and Sewer Assistance and to adopt a resolution establishing the “Share 2 Care” Water and Sewer Assistance Fund.

Description of Requested Agenda Item:  At previous council meetings, city staff discussed the desire to have a donation fund, similar to other municipalities, for water & sewer assistance. Communications staff will present a logo for the Share 2 Care program and the outreach plan for fund donations.

Once the city receives donations to the fund, finance staff will come back to council for a budget appropriation to distribute those funds. Rowan Helping Ministries, which currently has a crisis fund and contributes to citizen’s utility bills, has agreed to partner with the city to distribute our donations from the “Share 2 Care” fund. They will distribute these funds using the same criteria they have established for assisting clients in crisis and the funds raised by the City will be restricted donations to apply towards Salisbury-Rowan Utilities Water and Sewer accounts only.

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:  Council to adopt a resolution establishing the “Share 2 Care” Fund

Contact Information for Group or Individual:
Shannon Moore 704-216-8026 or Linda McElroy 704-638-4460

□ 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

Budget Manager Signature

Shannon Moore
Department Head 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:
RESOLUTION ESTABLISHING “SHARE 2 CARE” FUND TO PROVIDE FINANCIAL
ASSISTANCE TO SALISBURY-ROWAN UTILITIES CUSTOMERS FOR
WATER AND SEWER SERVICES

WHEREAS, the City of Salisbury provides public water and sewer services throughout
Salisbury and surrounding client communities, and unincorporated areas of Rowan County; and

WHEREAS, in an effort to provide assistance to persons whose financial circumstances
limit their ability to obtain or maintain public water or sewer service, Salisbury-Rowan Utilities
desires to start a utility assistance program, called Share 2 Care; and

WHEREAS, Rowan Helping Ministries, a non-profit agency located in Salisbury, has a
similar program where they currently assist Salisbury-Rowan Utilities customers and has agreed
to distribute the funds generated through the Share 2 Care program.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City of Salisbury will establish a separate fund where restricted donations from
the Share 2 Care program will be recorded and disbursed to Rowan Helping
Ministries for assistance on customer accounts with Salisbury-Rowan Utilities for
water or sewer services only.

This Resolution shall become effective immediately upon its adoption.

Adopted this _____ day of October, 2020.

________________________________________
Karen K. Alexander, Mayor

ATTEST:

____________________________
Kelly Baker, City Clerk
Salisbury City Council
Agenda Item Request Form

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

Requested Council Meeting Date: October 20, 2020

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

Name of Presenter(s):  Scott Shelton

Requested Agenda Item: Schedule public hearing to consider incentive for ‘Project Hero’

Description of Requested Agenda Item: The Rowan EDC requests that the City Council schedule a public hearing for its November 3rd meeting to consider a proposed incentive request for ‘Project Hero’

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: Schedule a public hearing for November 3, 2020 to receive comments regarding an incentive for Project Hero.

Contact Information for Group or Individual: Scott Shelton (704.637.5526 / scott@rowanedc.com)

☐ 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
Date: October 8, 2020  
To: Karen Alexander, Mayor  
Cc: Lane Bailey, City Manager  
Kelly Baker, City Clerk  
From: Scott Shelton, Vice President  
Re: Request for public hearing to consider incentive for ‘Project Hero’

Dear Mayor Alexander,

I respectfully request that the City Council schedule a public hearing for November 3rd to consider an incentive request from ‘Project Hero.’ The company behind ‘Project Hero’ is an existing employer in Salisbury that will retain current employment levels and create 30 new jobs over the next 4 years.

The company proposes to renovate and expand its current facility in Salisbury as part of its planned expansion. While these numbers are preliminary, the company estimates that it will invest approximately $1.5 million in new construction and equipment.

‘Project Hero’ would allow the company to substantially increase its employment levels and expand its operations, as well as give the City of Salisbury the opportunity to actively support a valued existing employer.

I look forward to providing you detailed information regarding this request and this project in the coming days. Please do not hesitate to contact me with any questions you may have, and thank you for considering this matter.

Yours truly,

Scott Shelton  
Vice President
Please Select Submission Category:  ☒ Public  ☐ Council  ☐ Manager  ☒ Staff

Requested Council Meeting Date:  October 20, 2020

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

Name of Presenter(s):  Wendy Brindle

Requested Agenda Item:  Council to consider adopting a Resolution authorizing the upset bid process for the sale of Parcel 025-013, 1000 block of Barbour Street

Description of Requested Agenda Item:
Robert Polk has submitted an offer of $1,200 to purchase the above referenced property, which is owned jointly by the City of Salisbury and Rowan County. This parcel is 7,495 sqft in size and has an assessed tax value of $8,000. Because the parcel is listed in joint ownership, both the City of Salisbury and Rowan County must take action to authorize the process and accept the final offer once the upset bid period expires.

In order to proceed, a Resolution must be adopted authorizing the use of the upset bid process for the sale of this property. Upon adoption of a Resolution by both the City and Rowan County, the upset bid process will begin. The offeror is required to submit a bid deposit of 5% of the offer to the City and/or County. Once received, the offer is published for a period of ten days. During this period, upset bids may be submitted. An upset bid must raise the current offer by an amount of at least 10% of the first $1,000 of that offer and 5% of the remainder.

If the bid is raised, the new bid becomes the current offer, and the City and County will conduct another upset bid, using the same procedure. This process will continue until a ten-day period passes without receipt of a qualifying upset bid. Both governing boards will receive notice of the final offer and may at that time reject or accept the offer.

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)

There is no budgetary impact on this item.

Action Requested of Council for Agenda Item:  (Please note if item includes an ordinance, resolution or petition)
City Council to adopt the attached Resolution authorizing the sell of Parcel 025-013 using the upset bid process in conjunction with Rowan County.

Contact Information for Group or Individual:
Wendy Brindle, City Engineer 704-638-5201 or 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:

_________________________________  ____________________________________
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:
RESOLUTION AUTHORIZING THE CITY TO RECEIVE AN OFFER TO PURCHASE CERTAIN REAL PROPERTY LOCATED IN THE 1000 BLOCK OF BARBOUR STREET AND ADVERTISE THE OFFER FOR UPSET BID PURSUANT TO G.S. § 160A-269.

WHEREAS, the City of Salisbury (“City”) owns a one-half interest in certain real property located in the 1000 block of Barbour Street in Salisbury, Rowan County, North Carolina, which is approximately 0.17 acres (7,495 sq. ft.), is further described as Rowan County Tax Parcel 025 013, and is illustrated on the attached map, which is incorporated into this Resolution by reference (the “Property”); and

WHEREAS, the County of Rowan (“County”) owns the other one-half interest in the Property; and

WHEREAS, the City and County acquired the Property by deed recorded in Book 838, Page 49 of the Rowan County Registry, and own the Property as tenants in common; and

WHEREAS, the Property is not in governmental use, and as such constitutes surplus property;

WHEREAS, G.S. § 160A-269 permits the City to sell its interest in the Property by upset bid, after receipt of an offer for the Property; and

WHEREAS, Robert Polk (“Purchaser”) has submitted an offer to purchase the Property to the City and County in the total amount of $1,200, with $600 payable to the City and $600 payable to the County; and

WHEREAS, Purchaser has committed to pay the required 5% deposit upon adoption of this Resolution;

WHEREAS, the City desires to accept the offer to purchase and advertise for upset bids as required by G.S. § 160A-269;

NOW, THEREFORE, be it resolved by the Salisbury City Council as follows:

1. The City Council acknowledges and declares that the Property is not in governmental use and constitutes surplus property.

2. The City is authorized to sell the Property through the upset bid procedure established in G.S. § 160A-269.

3. The City Engineer shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer, and shall state the terms under which the offer may be upset.

4. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Engineer within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the City Engineer shall open the bids, if any, and the highest such bid will become the new offer if it satisfies the requirements of G.S. § 160A-269. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
5. If a qualifying higher bid is received, the City Engineer shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received.

6. A qualifying higher bid is one that raises the existing offer by not less than 10% of the first $1,000 of that offer and 5% of the remainder of that offer.

7. A qualifying higher bid must also be accompanied by a deposit in the amount of 5% of the bid; the deposit may be made in cash, cashier’s check, or certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder at closing.

8. The terms of the final sale are that the buyer must pay with cash, cashier’s check or certified check at the time of closing.

9. The City reserves the right to withdraw the Property from sale at any time before the final high bid is accepted and reserves the right to reject at any time all bids.

10. If no qualifying upset bid is received after the initial public notice, the offer set forth above will be presented to Salisbury City Council, at which time the City Council may award to the highest offeror or reject the offer. If awarded, the appropriate City officials are hereby authorized to execute the instruments necessary to convey the Property.

This the 20th day of October, 2020

___________________________________
Karen K. Alexander, Mayor

___________________________________
Kelly Baker, City Clerk
PARCEL ID: 025 013

Owner Name:
ROWAN COUNTY & SALISBURY CITY OF

Mailing Address:
PO BOX 479

CSZ

Property Address:
0 BARBOUR ST

Tax District Code: 011

Tax District: SALISBURY-IN
Land FMV: $8,000
Land LUV: $0
IMP FMV: $0
Total Value: 8000
Deed Ref: 838/49/2020
Date Sold: 11/17/1998
Sale Amt: $1,500

Legal Description:
L82-83
This deed, made this the 17th day of November, 1998 by William C. Klutz, Jr., Commissioner, Grantor, to COUNTY OF ROWAN, a body politic and CITY OF SALISBURY, a body politic, Grantees,

WITNESSETH:

That whereas William C. Klutz, Jr. was appointed Commissioner under a Judgment of Default filed the 3rd day of December, 1997 by the Honorable Terry E. Osborne, Clerk of Superior Court for Rowan County, North Carolina, in the tax foreclosure proceeding entitled "Rowan County, Plaintiff, versus Mattie Robertson, a/k/a Mattie Robinson, and if married, (Mr. Mattie Robertson, a/k/a (Mr.) Mattie Robinson, if any (actual name unknown); All Heirs at law or devisees of Mattie Robertson, a/k/a/ Mattie Robinson, if deceased; and, All Heirs at law or devisees of (Mr.) Mattie Robertson, a/k/a (Mr.) Mattie Robinson (actual name unknown), if any, if deceased, Defendants" File No. 97 CVD 2175; and William C. Klutz, Jr. was directed by the Judgment of Default as Commissioner to sell the property hereinafter described at public sale after due advertisement according to law; and

Whereas, William C. Klutz, Jr., Commissioner, did on the 19th day of June, 1998, offer the land hereinafter described at a public sale at the Rowan County Courthouse door, in Salisbury, North Carolina, at which time COUNTY OF ROWAN and CITY OF SALISBURY became the last and highest bidder for said land for the sum of $1,183.38; and no upset or increased bid having been made within the time allowed by law, and the sale having been confirmed, and William C. Klutz, Jr., Commissioner, having been ordered to execute a deed to the purchaser upon payment of the purchase money;

Now, in consideration of the premises and the sum of $1,183.38, receipt of which is
interest, and to CITY OF SALISBURY, its successors and assigns, a 50% interest, in and to that property situated in Salisbury Township, Rowan County, North Carolina, and described as follows:

BEING lots 82 and 83, as shown on map of DUNBAR HEIGHTS by J. D. Justice, County Surveyor, May 11, 1944, and described as follows:

BEGINNING at a stake at the intersection of Barbour Street, and Bost Street; and running thence along the South edge of Bost Street, South 83-15 East 150 feet to a stake, a corner of lot 18; thence with lots 18 and 19, South 4-15 West 50 feet to a stake, a corner of lot 84; thence with lot 84, North 83-15 West 150 feet to a stake in the East edge of Barbour Street; thence along the East edge of Barbour Street, North 4-15 East 50 feet to the BEGINNING.

This conveyance is made subject to city and county property taxes for 1998 and all subsequent years, the payment of which shall be assumed by the purchaser. To have and to hold the aforesaid tract of land, to COUNTY OF ROWAN and CITY OF SALISBURY, their successors and assigns forever, in as full and ample manner as William C. Klutz, Jr., Commissioner, is authorized and empowered to convey the same.

In witness whereof, William C. Klutz, Jr., Commissioner, has hereunto set his hand and seal.

[Signature]
William C. Klutz, Jr., Commissioner, Grantor

NORTH CAROLINA
ROWAN COUNTY

I, §EAK W. ALBRIT, a Notary Public of the aforesaid County and State, do hereby certify that William C. Klutz, Jr., Commissioner, Grantor, personally appeared before me this day and acknowledged the execution of the foregoing deed.

Witness my hand and official seal this the 17th day of November, 1998.

[Signature]
NOTARY PUBLIC
Commission expires: 5-12-2001
Salisbury City Council
Agenda Item Request Form

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

Requested Council Meeting Date:  October 20, 2020

Name of Group(s) or Individual(s) Making Request:  Councilmember David Post

Name of Presenter(s):  Councilmember David Post

Requested Agenda Item:  Council to receive information regarding the Kiva loan program.

Description of Requested Agenda Item:  Councilmember Post will update Council on the Kiva loan program and discuss how the City might participate.

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:  Councilmember David Post

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

Requested Council Meeting Date: October 20, 2020

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

Name of Presenter(s):

Requested Agenda Item:  Council to consider making an appointment to the Rowan Economic Development Commission.

Description of Requested Agenda Item:  One of the City’s two appointments to the Rowan Economic Development Commission will expire December 31, 2020. The current appointee has served two terms and is not eligible for reappointment. The EDC recommends Ms. Kristin Dillard be appointed to a term to begin January 1, 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)

Action Requested of Council for Agenda Item:  Make an appointment to the Rowan Economic Development Board.

Contact Information for Group or Individual:  Kelly Baker  kbake@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
Kristin Dillard

First Name: Kristin
Last Name: Dillard
E-mail: kdillard@thechevyteam.com
Home Phone: 7042325330
Address: 316 Depot St
City: Salisbury
State: NC
ZIP Code: 28144
Place of Employment: Team Auto Group
Occupation: President

Do you reside within the City limits of Salisbury? Yes
Are you within the City’s Extraterritorial Jurisdiction (ETJ) area? Yes
Please indicate your #1 preference: Other
Have you served on a board or commission of the City of Salisbury? No
Why are you interested in serving on the Board or Commission for which you are applying? EDC Board Recommendation
Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction? No
Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council? No

I certify that the facts contained in
this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission. I agree