

Salisbury, North Carolina
August 2, 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 Burgin.

PLEDGE OF ALLEGIANCE

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

RECOGNITION OF VISITORS

Mayor Kluttz recognized all visitors present.

ADDITIONS/DELETIONS TO THE AGENDA

Mayor Kluttz noted the following change to the Agenda:

Delete – Item 10 - Council to receive comments from Steve Jarrett, owner of Superior Mart EXXON and Bio-Diesel retailer, regarding assistance in subsidizing the Bio-Diesel program

RECOGNIZE STUDENTS AND EMPLOYERS OF THE SUMMER YOUTH EMPLOYMENT PROGRAM

Ms. Kathy Seybold, Parks and Recreation Department, introduced Mr. Kenneth Bost, Rowan-Salisbury School System and Coordinator of the Summer Youth Employment Program. Mr. Bost noted that this is the seventh year of the program and stated that he feels they have met the goals of the program by making a difference in the well-being of students' lives.

Mr. Bost thanked Ms. Seybold and Ms. Gail Elder White, Parks and Recreation Director, for their help with the program. He also recognized Mr. Eric Leazer, Director of Career and Technical Education; Ms. Shonda Harrison, Assistant Principal Salisbury High School; and Mr. Steve Ballard, Career Development Coordinator Salisbury High School.

Mr. Bost stated that eighteen (18) students were selected this year with ten (10) being placed with employers.

The following students were recognized and presented certificates and gifts of appreciation: Meliha Begic, Naitik Patel, and Brooke Waller. Other students who participated in the program but were unable to attend included: Sherquanna Fisher, Barry Hawkins, Whitney Hill, Ebony Rhames, Porshia Rice, Brandon Walker, and Antoine Washington.

Mr. Bost recognized Ms. Patricia Andrews and Mr. Mike Walsh, Trinity Oaks; Ms. Kristen Kitchen, Rowan Regional Medical Center; Ms. Joanne Russell, Catawba College and Chartwell Food Service; Mr. Paul Woodson, Vogue Cleaners; and Ms. Britta Stevenson, Rowan Vocational Opportunities as employers for the Summer Youth Program. Other employers who participated but were not present included: Food Lion #1, Sam's Car Wash, Food Lion #10, and J.C. Penney.

Mayor Kluttz expressed her pride in each of the students and noted her gratitude to both the staff and employers for placing these worthy students in jobs for the summer.

CONSENT AGENDA

- (a) Approve Minutes of the regular meeting of July 19, 2005.

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

ZONING MAP AMENDMENT - Z-06-05 - ARC OF NORTH CAROLINA -15TH STREET (UNNUMBERED)

(a) Mr. Preston Mitchell, Senior Planner, informed Council that this request is to rezone two (2) parcels of property totaling approximately .75 acres from Single-Family Conservation (SFC) to Office Institutional (B-1) by the ARC of North Carolina. He explained that SFC is intended primarily for the conservation of detached single-family houses and secondarily for the conversion of single-family dwellings to two (2) family dwellings on a conditional use basis. Office Institutional is intended primarily for the location of businesses of a service type which do not maintain a stock of goods for sale or retail trade.

Mr. Mitchell reviewed the Vision 2020 Plan in regards to older neighborhoods and noted that there is no specific policy which addresses this particular request; however, the petitioner has disclosed that the intended use of the property is to construct independent living units for physically and developmentally challenged adults. With this in mind staff believes that the request meets the Vision Statement calling for a "multitude of housing choices... We see neighborhoods with several different well-designed housing types for all incomes where the elderly, young families, singles and others share experiences and help one another."

Mr. Mitchell stated that the petitioner is seeking B-1 zoning in the event that the facility should ever have to be used as dependent care. He pointed out that there is also precedence for B-1 as there is another specialized housing facility zoned B-1 located across the street from the property in question.

Mr. Mitchell informed Council that the Planning Board unanimously recommends approval of the request based on the area being contiguous with another B-1 district, it provides specialized housing, and staff believes it is consistent with the "housing choices" statement of the Vision 2020 Plan.

Mr. Mitchell reviewed photographs of the property and surrounding areas and noted that the street is scheduled for resurfacing this year.

b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, to consider zoning map amendment Z-06-05, ARC of North Carolina, 15th Street (Unnumbered).

Ms. Joyce Savage, Director of Housing for the ARC of North Carolina, stated that they hope to develop a four (4) unit quad, one bedroom each to house four (4) adults with developmental disability. She stated that the services will be provided by the ARC of Rowan. She explained that the facility is for individuals who feel they have graduated from group homes, adding that many have part-time employment and have a good level of high-functioning and would like to be integrated into the community. She added that she believes this will be a quiet residential setting.

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

(c) Thereupon, Mr. Woodson made a **motion** to rezone .75 acres from SFC Single-Family Conservation district to B-1 Office Institutional district for these apartments. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING APPROXIMATELY 0.75 ACRES, LOCATED AT EAST 15TH STREET, UNNUMBERED, IDENTIFIED AS TAX PARCELS 007-131 AND A PORTION OF 007-136, FROM SFC, SINGLE-FAMILY CONSERVATION, TO B-1, OFFICE INSTITUTIONAL.

(The above Ordinance is recorded in full in Ordinance Book No. 20, Zoning & Planning, at Page No. 52-53, and is known as Ordinance No. 2005-32.)

ZONING MAP AMENDMENT Z-07S-05 - RICKY TAYLOR MARSH

Zoning Map Amendment - Z-07S-05 - Ricky Taylor Marsh
421 North Long Street

(a) Swearing In

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

Mr. Preston Mitchell

Councilman Kennedy stated that he did not feel he had a conflict of interest but noted that he sold Mr. Marsh this piece of property and perhaps

he should remove himself from deliberation. City Attorney Rivers Lawther stated that if Mr. Kennedy did not feel it was a conflict he agreed; however, Mr. Kennedy stated he would feel more comfortable being excused.

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

(b) Evidence Presented

Mr. Preston Mitchell, Senior Planner, stated that this request is to rezone one parcel totaling .25 acres from R-6 Single and Two Family Residential to BCS-S Business Convenience Services S-District. He noted that the petitioner and current property owner is Mr. Rick Marsh. Mr. Mitchell reviewed aerial photographs and maps of the property in question. He noted that the property is currently zoned R-6, as is the majority of the Park Avenue area, and pointed out the various zoning districts in the area.

Mr. Mitchell defined the R-6 and BCS-S districts stating that the R-6 district is single and two family residential, while BCS is intended primarily for convenience services and small retailing. He noted that the requested S-District is identical to the general BCS district, except that an S-District permit is required, along with any map change, which may allow one or more permitted uses that are permitted by right in the BCS district. He added that City Council may place additional provisions or restrictions on the S-District permit.

Mr. Mitchell noted that this piece of property is located within the Park Avenue Redevelopment Plan which was adopted in 1998 and provides a guide for how the neighborhood and community believes they want their neighborhood to develop or grow. He stated that the neighborhood believes their three (3) primary strengths are their historic buildings and streets, proximity to downtown, and a solid base of stable, loyal residents. Mr. Mitchell indicated that within the neighborhood plan there are different study districts and this piece of property falls within the Long Street Corridor Study District, which comprises a group of commercial and light industrial buildings, as well as some older homes located along the south side of North Long Street. He noted that in the study district it was found that this area is critical to forming a connection with downtown. One of the goals for this area is renovation of the existing homes along North Long Street to become professional offices. He reviewed a map of the Park Avenue Neighborhood Plan and three (3) of the study districts.

Mr. Mitchell stated that in the Vision 2020 Plan this piece of property falls within the Older Neighborhoods Study Area and a policy of this study area calls for neighborhood-scaled retail and services along planning and neighborhood edges. He stated that staff believes the provisions of basic necessities and services furthers the Park Avenue goals to forge that link between neighborhood and downtown. He added that the S-District for BCS allows City Council to limit uses to professional offices and all of its lesser uses with the exception of the requested exceptions.

Mr. Mitchell explained why the BCS-S district was chosen stating that the petitioner disclosed their desire to possibly open a barber or beauty shop at some time in the future. Since North Carolina State law allows a petitioner to look at specific uses when requesting a Special District permit they were able to pick out specific uses in the BCS district. Mr. Mitchell stated that the barber/beauty shop use is not allowed in the B-1 district and the petitioner recognized the importance of the Park Avenue Neighborhood Plan and wants to support it, so staff recommended he request the S-District permit which would allow for a barber or beauty shop and all the other uses in B-1 and below only. Mr. Mitchell rhetorically asked if BCS is inconsistent with the Park Avenue Neighborhood Plan and stated that BCS alone, as a general district, would be inconsistent and staff most likely would not recommend approval. The Park Avenue Neighborhood Plan calls for professional offices but not specific zone districts, so the S-District being requested eliminates all the general BCS uses except for barbershop and beauty salon. Mr. Mitchell pointed out that the S-District permit can be modified or revoked by City Council at any time in the future.

Mr. Mitchell informed Council that the Planning Board voted unanimously to recommend conditional approval of the request to rezone the property and issue an S-District permit. He stated that staff also recommends conditional approval based on consistency with the 1998 Park Avenue Neighborhood Plan and consistency with the Vision 2020 Plan. He stated that the two actions to be taken by City Council will be to vote to amend the official zoning map and to issue an S-District permit with the following conditions:

- That all uses permitted in the general BCS district be prohibited except for barbershop or beauty salon, and that all cumulative uses allowed by right in districts up through B-1 district remain allowed by right
- That any/all development and signage associated with this site be conducted under the B-1 district regulations and requirements

Mr. Mitchell then reviewed photographs of the property in question and the surrounding properties.

Mayor Kluttz then opened the public hearing for comment on Z-07S-05.

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

(c) Findings of Fact

Councilman Burgin stated that relative to the rezoning it appears that it is appropriate and the BCS uses are limited. He stated that in all cases the property is required to meet B-1 zoning requirements which include landscaping and screening and he is supportive, feeling it is consistent with the Neighborhood Plan and with the Vision 2020 Plan.

Councilman Lewis then offered the following Findings of Fact:

1. The rezoning is consistent with the Park Avenue Neighborhood Plan and the Salisbury Vision 2020 Plan.
2. This is a good adaptive reuse of an older house in one of the older neighborhoods.
3. The rezoning and special use permit will meet all the restrictions of the B-1 zone which is in keeping with the Park Avenue Neighborhood

Plan.

Mayor Pro Tem Woodson stated that this will be located on North Long Street and he feels it will be convenient for citizens to walk there and he feels it will be good.

(d) Decision

Thereupon, Mr. Lewis made a **motion** to amend the official zoning map from R-6 to BCS-S for zoning case Z-07S-05. Mr. Burgin seconded the motion. Messrs. Burgin, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING APPROXIMATELY 0.22 ACRES, LOCATED AT 421 NORTH LONG STREET, IDENTIFIED AS TAX PARCEL 016-018, FROM R-6 SINGLE & TWO-FAMILY RESIDENTIAL, TO BCS-S, SPECIAL BUSINESS CONVENIENCE SERVICE

(The above ordinance is recorded in full in Ordinance Book No. 20, Zoning & Planning, at Page No. 54, and is known as Ordinance No. 2005-33.)

(e) Special Use District Permit

Thereupon, Mr. Lewis made a **motion** to issue an S-District permit for Z-07S-05. Mr. Burgin seconded the motion. Messrs. Burgin, Lewis, Woodson, and Ms. Kluttz voted AYE. (4-0)

AN ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA, GRANTING AN S-DISTRICT PERMIT IN CONJUNCTION WITH ORDINANCE 2005- 33; PROVIDING FOR PERMITTED USES: PROVIDING FOR CONDITIONS OF DEVELOPMENT: PROVIDING FOR MODIFICATION OR TERMINATION: AND PROVIDING FOR AN EFFECTIVE DATE.

(The above ordinance is recorded in full in Ordinance Book No. 20, Zoning & Planning, at Page No. 55, and is known as Ordinance No. 2005-34.)

Mr. Mitchell clarified if the issuance of the S-District permit is with the conditions as stated. Council agreed reiterating that the conditions are:

- That all uses permitted in the general BCS district be prohibited except for barbershop or beauty salon, and that all cumulative uses allowed by right in districts up through B-1 district remain allowed by right.
- That any/all development and signage associated with this site be conducted under the B-1 district regulations and requirements

RECEIVE REQUEST FROM DR. BOB TANNEHILL, CHAIRMAN OF THE SALISBURY CONFEDERATE PRISON ASSOCIATION

Dr. Bob Tannehill, Chairman of the Salisbury Confederate Prison Association; Ms. Sue Curtis, President of the Salisbury Confederate Prison Association; Mr. Ed Curtis, Editor; and Mr. Wayne Whitman, board member, addressed Council regarding an archeological excavation on City owned property.

Dr. Tannehill explained that the Salisbury Confederate Prison Association is interested in the historical, educational, and memorial aspects of the former prison operated during the Civil War 1861-1865. He noted that finding the exact location of the prison site has been one of the Association's goals, and explained that the approximate location of the prison is known to be in the area of the South Brooklyn Historic District which has been developed as a residential neighborhood since the 1880s. He stated that an old survey map for the prison was recently revealed and can help in determining the location. Using the map, the Salisbury Prison Association worked with Salisbury GIS to obtain an aerial view of the district and superimposed the two maps to create a more accurate location than was previously known. Dr. Tannehill stated that using this positioning has made it possible to select sites in the area for an archeological survey and excavations to be carried out by the Archeological Laboratory of Wake Forest University in September 2005. If the excavation is successful the Association hopes to establish a museum and interpretive center. It will also allow for designation of the site as a national historic site and national historic landmark in an effort to develop the site as a historical tourist attraction.

Dr. Tannehill stated that one of the lots they would like to excavate is located at 415 East Fisher Street and belongs to the City of Salisbury. He requested Council give the Association license and permission to perform archeological research on this property.

Mayor Pro Tem Woodson asked Dr. Tannehill where the old surveyor's map was discovered. Dr. Tannehill explained that an Association member found the map in Washington D.C. where it had been kept with information regarding a war crimes trial held in Raleigh in 1866.

Mayor Kluttz stated that she felt it is wonderful that the Association is undertaking this project because history is so important to the City. She asked Dr. Tannehill about the Association's request for a license for a five (5) year period and noted that it might be helpful to the City if the license was approved one year at a time. Dr. Tannehill indicated this would be fine. Mayor Kluttz noted that this will be easier for the City should something change with the property in the future. City Manager David Treme noted he did not think annual approval will take a formal gathering unless the property was sold.

Councilman Burgin asked if consideration has been given to the fact that this work will be performed in a neighborhood. He added that he felt this is very important for Salisbury to do, as it will offer history of the site and will be an economic development opportunity. Dr. Tannehill stated that they have considered that the work will be performed in a neighborhood and explained that when an archaeologist digs, he or she digs in a five (5) foot

square. He stated that the areas will be protected with yellow barricade tape and the Association will contact North Carolina Utility One to determine where lines are placed. He added that the area will be completely returned to its original state once the work is complete.

Mr. Joe Morris, Planning and Community Development Manager, stated that the property has been in the City's possession for at least a decade and there are no immediate plans for development of the site. He noted that this activity will require a Certificate of Appropriateness (COA) from the Historic Preservation Commission and there will be conditions associated with the COA regarding how the excavations occur.

Thereupon, Mr. Burgin made a **motion** to authorize the Mayor to sign a license and agreement for the purpose of archeological research on a City owned piece of property located 415 East Fisher Street for a one year license. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

City Clerk Myra Heard clarified that the motion was for a one year period. Mr. Burgin agreed and clarified his motion with Mr. Tremé noting the license will begin September 5, 2005.

RECEIVE COMMENTS FROM MR. STEVE JARRETT, OWNER OF SUPERIOR MART EXXON AND BI0-DIESEL RETAILER

This item was omitted from the Agenda.

SPEED LIMIT ON BOUNDARY STREET BETWEEN KLUMAC ROAD AND JAKE ALEXANDER BOULEVARD

Ms. Wendy Brindle, Traffic Engineer, indicated that the current speed limit on Boundary Street between Klumac Road and Jake Alexander Boulevard is posted at 35 mph. She stated that staff performed a speed study on this area and the study indicated an 85th percentile speed of 50 mph. She explained that this meant eighty-five (85) percent of the people are traveling at 50 mph or lower. She added that the 85th percentile speed is considered the maximum safe and reasonable speed and is commonly used to help determine speed limits. Ms. Brindle commented that posting an artificially low speed limit could lead to increased accidents and difficulty in enforcement. She noted that staff contacted the Police Department and they are in agreement with posting a 45 mph speed limit for this section. The speed limit will remain at 35 mph in the residential section.

Thereupon, Mr. Woodson made a **motion** to change the Ordinance from 35 mph to 45 mph speed limit on Boundary Street between Klumac Road and Jake Alexander Boulevard. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

AN ORDINANCE AMENDING SECTION 13-336, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO SPEED LIMITS - GENERALLY.

(The above ordinance is recorded in full in Ordinance Book No. 20, Traffic, at Page No. 56, and is known as Ordinance No. 2005-35.)

STAFF REPORT - PEARL STREET, TOWER DRIVE AND DAVIS STREET RAILROAD CROSSINGS

Ms. Wendy Brindle, Traffic Engineer, informed Council that a request was received from the North Carolina Department of Transportation (NCDOT) Rail Division to close or signalize the Pearl Street railroad crossing. She stated that NCDOT did not address the other two (2) crossings going into the neighborhood located at Tower Drive and Davis Street. Staff contacted NCDOT and indicated that simply closing or improving the Pearl Street crossing would not eliminate the vehicle train exposure but would only disperse the traffic to the other crossings. As an alternate, NCDOT offered to install gates on two (2) of the crossings if the City would close the third crossing. Ms. Brindle stated that if the City chose to do this the City's share would be approximately \$27,000 initially with approximately \$2,600 for annual maintenance.

Ms. Brindle informed Council that NCDOT indicates there are approximately six (6) trains per day that use this railroad but neighbors have stated there are not this many trains. The maximum speed of the trains traveling through the area is 25 mph, with a typical speed of 10 mph.

Ms. Brindle stated that as part of a comprehensive study, staff met with residents of the neighborhood on July 28, 2005 to discuss the options. Nineteen (19) people attended the meeting and Ms. Brindle noted that the property owners made it very evident that they wished to leave all three (3) crossings as they currently are. She noted that the residents felt more strongly about getting a traffic signal at Jake Alexander Boulevard and Morlan Park Road than they did about improving the crossings. Ms. Brindle pointed out that the one concern residents had about the crossings was in regards to vegetation issues along the banks of the railroad which are not maintained.

Ms. Brindle indicated that staff recommends replying to NCDOT in writing in order to document the decision making process by pointing out the low train volume, low train speed, the neighborhood meeting and the City's desire to leave the crossings as they are which would enable NCDOT to use the money elsewhere.

Councilman Kennedy stated he felt Council should accept staff's recommendation noting the residents do not feel the crossings have safety issues, no accidents have occurred at the crossings, and the City should not spend money to close a crossing that does not have to be closed and that citizens want to use.

Councilman Burgin noted that this area is not part of the high speed rail plans and he sees no reason to close the crossings at this point.

Thereupon, Mr. Lewis made a **motion** to decline the North Carolina Department of Transportation's gracious offer. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

Mayor Kluttz asked staff to relay the neighbors' concerns regarding the vegetation to NCDOT.

OFFER TO PURCHASE REAL ESTATE - GRIM STREET

Mr. Joe Morris, Planning and Community Development Manager, informed Council that an offer to purchase city owned property located on Grim Street Tax Map 005 Parcel 14001 has been received. Mr. Isaac Wilkins has offered \$1,800 for the property and the offer is subject to upset bids as authorized by General Statute 160A-269.

Mr. Morris stated that Mr. Wilkins owns the property beside the City owned lot and has maintained the property for over twenty (20) years but just recently discovered that he did not own the property. Mr. Morris noted that the property line is within inches of the bottom steps of the structure located on Mr. Wilkins property. He pointed out that he has been in contact with Mr. Chanaka Yatawara, Community Development Corporation Executive Director, and he concurs that the lot is substandard. Based on the current Ordinance and given the proximity of the adjacent structure it would be difficult to have a significant dwelling and meet the setback requirements.

City Manager David Treme stated that the tax value of the property is \$6,000, but this is a substandard lot and the Community Development Corporation has no interest in it.

Thereupon, Mr. Woodson made a **motion** in agreement with North Carolina General Statute 160A-269 that authorizes the City to sale the property in consideration of \$1,800 plus any possible upset bids on Tax Map 005 Parcel 14001. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

JOINT COOPERATION AGREEMENT FOR THE HOME INVESTMENT PARTNERSHIP PROGRAM

Ms. Janet Gapen, Planner II, stated that the HOME Investment Act provides funds for affordable housing activities and is one of the two (2) primary funding vehicles used by the City to support the activities of the Community Development Corporation. She noted that HOME program funds require consortiums be formed by cities and counties to apply for the funds as a group. Salisbury is one of the members of the Cabarrus/Iredell/Rowan Home Housing Consortium. Ms. Gapen explained that the Agreements that form the consortiums must be renewed every three (3) years and requested Council's approval for renewing the agreement. She added that in addition to the three (3) counties there are also five (5) other municipalities who are members of the Consortium and each jurisdiction will have to renew the Agreement.

Thereupon, Mr. Woodson made a **motion** to authorize the Mayor to enter into a Joint Cooperation Agreement for the HOME Investment Partnership Program. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF SALISBURY TO ENTER INTO A JOINT COOPERATION AGREEMENT EXTENDING THE CABARRUS/IREDELL/ROWAN HOUSING CONSORTIUM.

(The above Resolution is recorded in full in Resolution Book No. 12, at Page Nos. 27-28, and is known as Resolution No. 2005-23.)

City Manager David Treme commented that this will also be taken to the Rowan County Board of Commissioners for approval.

FY2005-2010 CONSOLIDATED PLAN

Ms. Janet Gapen, Planner II, indicated that at the July 19, 2005 Council meeting a summary of the FY2005-2010 Consolidated Plan was presented to Council. She explained that the Plan is a framework for how the City plans to use funds received from the HOME and CDBG programs for a five (5) year period.

Thereupon, Mr. Kennedy made a **motion** to adopt the FY2005-2010 Consolidated Plan for the use of the HOME and CDBG funds. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

Ms. Gapen noted that at the last Council meeting Councilman Kennedy requested information regarding the Salisbury Housing Authority. She informed Council that the Salisbury Housing Authority's housing list is purged every January, and as of this month they have a little over two hundred (200) households waiting for a unit. She stated that as far as their Voucher Program, the list is not purged and contains one hundred eighty-seven (187) names. She added that the Voucher list is closed as they only have forty-four (44) Vouchers.

FIRE DEPARTMENT STRATEGIC PLAN

Fire Chief Bob Parnell indicated that portions of the Fire Department Strategic Plan were initially presented to Council during the Future Goals and Directions Retreat held in February 2005. A final and complete Plan was presented to Council at its last meeting. Battalion Chiefs David Morris and Bo Geter reviewed a summary of the complete Plan.

Purpose of the Strategic Plan

- Provides direction for the Fire Department over a period of time (5 years)
- Identifies what the Salisbury Fire Department (SFD) does well
- Identifies what SFD should do and in broad terms how to do it
- Development of SFD's plan was inclusive of all SFD members, related City departments, and other agencies

Five (5) Major Areas of the Strategic Plan

- Leadership
- Fire Operations
- Training and Professional Development
- Loss Prevention and Investigations
- Logistics

Battalion Chief Geter explained that during the planning process the areas that were incorporated were Human Resources, Loss Prevention, Internal Observation, Training & Safety, Administration, Operations, Logistics, Citizens, and External Observers.

Outcomes – Leadership

- Includes a modern organizational structure
- Recognizes command and control systems
- Provides professional development and career paths
- Provides for enhancing diversity to the department

Outcomes – Training Division

- Training is focused on accepted state and national standards
- Identifies training needs for successful career opportunities
- Coordinated training with internal and external departments and agencies

Outcomes – Fire Operations

- Improve response times and develop an acceptable standard level of care
- Maintain current level of ISO II and seek national accreditation through Commission on Fire Accreditation International
- Improve interaction with neighborhoods and be more participative in community functions

Outcomes – Logistics

- Work with local Volunteer Fire Departments to facilitate purchases of equipment
- Modernize informational technology and data management system
- Expand the uses of data management systems

Outcomes – Loss Prevention

- Conduct a community risk analysis
- Coordinate fire education programs and expand fire education opportunities
- Correct and remove substandard housing
- Serve as a proactive public consultant toward fire and life safety

Battalion Chief Morris pointed out the three (3) appendices that are also included in the Strategic Plan which are: Information Technology Study; ISO – North Carolina Response Rating System; and Fire Service Accreditation Study.

Chief Pamell commented that the Fire Department is very proud of the Strategic Plan and has shared it with a group of Fire Chiefs from around the State who were very complimentary.

Thereupon, Mr. Woodson made a **motion** to adopt the Fire Department Strategic Plan as presented. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

City Manager David Treme congratulated the Fire Department staff who worked on the Strategic Plan and feels it set the Department on a firm foundation for the future.

COMMENTS FROM THE CITY MANAGER

(a) Job Creation and Retention Grant

Mr. Matt Bernhardt, Assistant City Manager for Utilities, updated Council regarding a Job Retention and Expansion Grant project for Sunshine Manufacturing. He explained that the partners involved in the project will be the Town of Rockwell as grant applicant, the City of Salisbury through Salisbury-Rowan Utilities (SRU) as the administrator for the project, and Sunshine Manufacturing.

Project background:

- Sunshine Manufacturing designs, fabricates and distributes factory-built commercial and residential buildings
- Owner has plans to increase the production of the facility by adding floor space and employees
- Existing facility is served by an onsite septic system that has reached capacity
- Water system is unable to provide fire flows that meet ISO recommendations for Sunshine Manufacturing's hazard class
- In 2000, Salisbury-Rowan Utilities (SRU) extended twelve (12) inch water supply line; which can provide up to one thousand two hundred

(1,200) gallons per minute (gpm). Prior to this, the maximum supply rate from all wells was about four hundred (400) gpm

- This project will connect the “dead-end” lines to form a loop. Also this project will install a “cross-town” trunk main to improve fire flows
- The existing Crowell Lift Station has extra capacity to handle wastewater flows from Sunshine Manufacturing

Mr. Bernhardt reviewed the scope of the project:

- Two thousand two hundred (2,200) feet of eight (8) inch gravity sanitary sewer to the existing lift station
- Three thousand six hundred (3,600) feet of eight (8) inch water line to provide a “loop” between Pecan Street and Paul Road
- Four thousand two hundred (4,200) feet of twelve (12) inch water line to provide a “cross-town” trunk main along Salisbury Avenue and Shinn Street
- Approximate cost for the project is \$1,000,000 (\$250,000 for sewer lines and \$750,000 for water lines)

Benefits:

- Sunshine Manufacturing will relocate out of the area without connection to the public sanitary sewer system; other treatment options that offer plant expansion are more costly and require continued operation by Sunshine Manufacturing
- Fire protection to Sunshine Manufacturing and the surrounding area will be improved. Fire flows will increase by more than seventy (70) percent while maintaining the same duration for the flow
- Provide water and sewer to Huntington Ridge Subdivision and open area for growth of the Town
- Add customers and service area for SRU
- Add tax base and jobs for Rowan County and Town of Rockwell

Sunshine Manufacturing Grant Project:

Project Cost:	\$1,000,000	
CDBG Grant (63 Jobs Retained)		\$750,000
- Town of Rockwell Applicant		
Rural Center Grant (25 Jobs Created)		\$237,500
- Town of Rockwell Applicant		
Total from Grants		\$987,500
Local Government Contribution		\$12,500
Total Funds		\$1,000,000

City Manager David Treme stated that these grants will save jobs and create new ones, adding that he has shared this with the Economic Development Commission, the Chairman of the Committee of 100, and with Rowan County. He noted that staff has also been working on a project with Apple Baking Company but the situation may have changed regarding that project.

(b) Utility Customer Luncheon

City Manager David Treme noted that Council has agreed to have a luncheon meeting for its Utility customers to be held Thursday, September 29, 2005 at City Hall at 12:00 Noon.

(c) Council Candidate Session

City Manager David Treme stated that staff is working on conducting a Council Candidate information session but can not find a date that all City Council members will be able to attend, adding that staff will find the best date possible.

(d) East Spencer Water Improvements

Mayor Klutz stated that she, Councilman Kennedy, and Assistant City Manager for Utilities Matt Bernhardt attended an announcement in East Spencer today. Senator Elizabeth Dole and Congressman Mel Watt were present to announce a \$1.7 million loan, which includes a \$100,000 grant, to improve the East Spencer water system. She noted that this was an exciting day for East Spencer as Mayor Erma Jefferies and their Town Council has worked to find ways to make improvements for their system.

(e) Storm Response

City Manager David Treme recognized Fire Chief Bob Parnell and Mr. Dan Mikkelson, Director of Land Management and Development, and asked them to give Council an update regarding the City’s response to the storms of July 28 and 29, 2005.

Chief Parnell reviewed the City’s emergency operations response during the storm:

Thursday, July 28, 2005:

- At approximately 7:30 p.m., a strong storm front came through the Salisbury-Rowan area
- The National Weather Services advised that Rowan County was under a threat of winds and rain as a result of the rapidly moving cold front through the area. Severe Thunderstorm watch issued at 7:15 p.m.
- Wind reports and damage was indicative of sheer straight winds of 50 miles per hour

- Power lines and large tree limbs were down and some light-weight buildings were overturned

Damage:

- Isolated mostly to areas within the City limits – a line from East Innes Street at Arlington Drive to Jake Alexander Boulevard and Highway 150
- Duke Power estimated that eleven thousand (11,000) customers were without power

Law Enforcement:

- Police Operations: Communication Center was extremely busy
- Top Police Department leadership reported to duty
- Two (2) Rowan County Deputy cars were assigned to help patrol in the City
- Salisbury Police Department worked many intersections and in various neighborhoods to assure safety of our citizens

Fire Department:

- Responded to one hundred nineteen (119) emergency calls between the hours of 7:30 p.m. and 10:00 p.m.
- Mostly lightning strikes, lines down, utility problems and gas leaks
- Opened the Fire Operations Command Center (FOC) at Fire headquarters
- Called in off-duty firefighters to staff six (6) extra fire trucks/units
- Ten (10) Volunteer Fire Departments responded to calls or covered empty fire stations
- Stationed crews in impacted neighborhoods (welfare checks, visible, phone system down, area of highest vulnerability)

Public Services:

- Street and Landscape divisions reported to duty at approximately 8:00 p.m.
- Cleared fallen trees and opened streets (had to wait until Duke Power could de-energize fallen wires that were entangled in some of the fallen trees)
- Released most crews at 1:00 a.m., third shift work throughout the night and first shift reported early on Friday morning

City Utilities:

- Called in several crews to evaluate the impact of the storm
- Power outages impacted the Utility at several facilities – mostly affecting Salisbury, Granite Quarry, Rockwell and Faith. A small spill resulted at Granite Lift Station due to lightning strike
- Operated portable generators to keep water pumps operating to Granite Quarry and Rockwell

Total Impact:

- This weather event impacted Salisbury for approximately eighteen (18) hours – 7:30 p.m. Thursday, July 28, 2005 until 1:30 p.m. Friday July 29, 2005
- Friday brought heavy rain storms and some localized flooding and lightning strikes

Resources:

- City resources were adequate – with planned and organized utilization of some outside assistance (Fire and Police)
- No unusual resources were called in

Notes:

- FOC was a primary point of contact
- Operated to track and control response resources
- Rowan County Emergency Manager and our Assistant City Manager for Utilities reported to and assisted at the FOC

Damage to City Assets:

- One police car was damaged by a fallen limb
- One fire truck was struck by lightning – no damage
- Recreation playground severely damaged by fallen limb (in excess of \$2,000)
- Lightning strike at Town Creek Waste Treatment Plant – damaged a pump motor
- Wall/Roof damage to a building in Public Services – Richard Kelly, Risk Manager, is still assessing

Chief Parnell pointed out that there were no injuries or deaths attributed to the storm.

Mr. Treme stated that the City also experienced flooding problems during the storms and called on Mr. Mikkelson to update Council regarding this issue. Mr. Mikkelson reviewed that there was a five (5) year period during the drought that ended two and one half (2 ½) years ago where the drought was so severe that the stream flows were less than half of the average stream flow. He stated that during this period new property owners moved into areas that used to experience flooding and they have been able to live on the property unsuspecting of the flooding issue. Mr. Mikkelson commented that the rains of July 4, 2005 and July 28 and 29, 2005 were some of the more severe rainfall that the City has experienced since the end of the drought. He stated that on July 4 approximately four and one half (4 ½) inches of rain in a four (4) hour period, which greatly exceeded the ten (10) year event, the storm used for design standards. Mr. Mikkelson stated that after this event the property owners in the flood-prone areas became nervous each time it rained. He commented that on July 29, 2005 two and four tenths (2.4) inches of rain that fell in approximately one (1) hour and flooding was similar, but less severe, than the July 4 storm.

Mr. Mikkelson stated that staff has investigated eleven (11) different sites that experienced flooding. Ten (10) of these sites involved structural flooding. Eight (8) of the sites are in the lower end of a drainage basin that is at least twenty (20) acres or larger and therefore they receive a good deal

of runoff. Three (3) of the sites are in locations where the drainage system was blocked creating overland flow that went into a direction it was not expected to go. Mr. Mikkelson added that in most of these cases the way the property has been developed attributed to the damage that was incurred.

Mr. Mikkelson informed Council that staff is investigating each of the flood sites to determine the expected runoff for the designed storm, which is referred to as a ten (10) year storm. He explained that this storm is also referred to as a storm that has a ten (10) percent chance of being exceeded in any given year. He added that staff will work to determine if the existing drainage facilities can accommodate the designed storm and to look for areas where there was blockage or where there are weak links in the system.

Mr. Mikkelson explained that once staff finishes the investigation and prepares the report to identify what is wrong and what improvements can be made, staff will also discuss what part of the improvements are the responsibility of the City and what part is the responsibility of private property owners. He commented that one frustration for property owners is that many times in order to make improvements the improvements have to be made on multiple private properties so an individual cannot solve his or her own problem even if they have the funds to do so. He stated that the City's duty is to maintain street drains but it is not the City's duty to improve street drains or to maintain drains on private property, adding that this can be a delicate balance as many citizens expect the City to have a much higher level of responsibility.

Mr. Mikkelson stated that by having the engineering studies completed, both the City and the property owners involved will have a better understanding of the nature of the drainage problem, the frequency of expected occurrence, and appropriate treatments to improve the situation.

Mr. Treme stated that because of the flooding situation he has authorized the expenditure of funds for drainage engineering studies by outside engineers. He added that given the two events in July he felt there was a need for this issue to be studied and to determine a treatment for at least a part of the problem.

Councilman Burgin commented that as the community continues to grow, time will need to be spent studying a solution for the drainage problems because they will only get worse. He noted that after the new Land Use Ordinance is adopted perhaps Council should focus on storm control and looking at ordinances to help with stormwater runoff on developments. He added that he also felt there is a need for mapping to determine exactly what the City has to work with.

Mr. Treme commented that this is a very large and expensive undertaking and with new regulations it becomes almost an unfunded mandate.

MAYOR'S ANNOUNCEMENTS

(a) Eagle Heights Update

Councilman Lewis asked for an update on the Eagle Heights traffic calming requests received by Council at its last meeting. Mr. Dan Mikkelson responded that the Eagle Heights traffic study will be presented to Council at its next meeting.

(b) Brenner Avenue Repaving

Mr. Mikkelson reminded Council that curb and gutter and a paved Greenway trail will be installed on Brenner Avenue and noted that the project is out for bid right now. He stated that he hopes the bids will come back to Council in the next two (2) or three (3) meetings. Once the curb and gutter and Greenway trail has been installed the City will resurface the road.

(c) National Night Out

Mayor Klutz announced that the Salisbury Police Department District One will participate in the National Night Out at Cannon Park in the Park Avenue Neighborhood on Tuesday, August 2, 2005 from 7:00 p.m. until 9:00 p.m. and Police District Two will be at the Salisbury Mall.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Lewis, seconded by Mr. Burgin. All council members agreed unanimously to adjourn. The meeting was adjourned at 6:14 p.m.

Mayor

City Clerk