REGULAR MEETING

PRESENT: Mayor Karen Kirks Alexander, Presiding; Mayor Pro Tem Maggie A. Blackwell; Council Members Kenneth Hardin, William Brian Miller, and David Post; City Manager W. Lane Bailey; City Clerk Diane Gilmore, and City Attorney F. Rivers Lawther, Jr.

ABSENT: None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The invocation was given by Councilmember Miller. The meeting was called to order by Mayor Alexander at 5:00 p.m.

PLEDGE OF ALLEGIANCE

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

RECOGNITION OF VISITORS

Mayor Alexander welcomed all visitors present.

PROCLAMATION

Mayor to proclaim the following observance:

NATIONAL MAKE A DIFFERENCE DAY October 28, 2017
CONSENT AGENDA

(a) Approval of Minutes

Adopt Minutes of the Regular meetings of September, 19 and October 3, 2017.

(b) Surplus Sale - Limb Truck

Adopt a Resolution to ratify the sale of a surplus limb truck sold through an electronic auction to Darrell Levan of Levan Auto Sales in the amount of $35,150.

RATIFY OF THE SALE OF SURPLUS PERSONAL PROPERTY SOLD BY THE CITY FOR MORE THAN $30,000

(The above Resolution is recorded in full in Resolution Book No. 15 at Page No. 14, and is known as Resolution 2017-11.)

(c) Surplus Sale - Property

Adopt a Resolution authorizing the sale of various pieces of surplus personal property through an electronic auction.

RESOLUTION AUTHORIZING THE PURCHASING MANAGER TO DISPOSE OF SURPLUS CITY OWNED PERSONAL PROPERTY VALUED AT $30,000 OR MORE

(The above Resolution is recorded in full in Resolution Book No. 15 at Page No. 15, and is known as Ordinance 2017-12.)

(d) Surplus Conveyance – Gym Equipment

Adopt a Resolution authorizing the conveyance of surplus gym equipment to Livingstone College without monetary consideration.

RESOLUTION AUTHORIZING THE CONVEYANCE OF SURPLUS GYM EQUIPEMENT

(The above Resolution is recorded in full in Resolution Book No. 15 at Page No. 16, and is known as Resolution 2017-13.)

(e) Budget Ordinance Amendment – Meter Tap Revenue

Adopt a Budget Ordinance amendment to the FY2017-2018 budget in the amount of $46,082 to appropriate meter tap revenue.

ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE PUBLIC ART CONTRIBUTIONS.
(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page No. 180, and is known as Ordinance 2017-58)

(f) **Budget Ordinance Amendment – Housing Stabilization Funds**

Adopt a Budget Ordinance amendment to the FY2017-2018 budget in the amount of $104,743 to appropriate housing stabilization funds.

**ORDINANCE AMENDING THE 2017-2018 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE PUBLIC ART CONTRIBUTIONS.**

(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page No. 181, and is known as Ordinance 2017-59)

Thereupon, Mr. Miller made a **motion** to adopt the Consent Agenda as presented. Mr. Post seconded the motion. Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

**UPDATE – SALISBURY POLICE CHIEF**

Police Chief Jerry Stokes addressed Council regarding staffing, crime and the 90-day foot patrol. He noted the Police Department has 81 sworn positions and seven civilian positions with 72 sworn positions and 7 civilian positions currently filled.

Chief Stokes reviewed the combat crime strategies. He explained all reported crime, from parking to homicide, has decreased 9.5 % in the first three quarters when compared to the same quarters in 2016.

Chief Stokes pointed out changes in the report presented to Council at its July meeting regarding the four problem solving focus areas. He explained reporting errors were detected and staff is working to correct the data.

Chief Stokes noted there has been an increase in citizens who are willing to provide information to the Police Department regarding shots fired.

Chief Stokes indicated the community and police officers have embraced the 90-day foot patrol and the collaboration has helped to reduce area crime. He explained the technique allows police officers to respond while patrolling the neighborhoods.

Councilmember Hardin asked about the relationship between citizens and the Police Department. Chief Stokes stated the Police Department is receiving positive reactions from the community.

Councilmember Miller asked if the majority of crimes were committed by a small group of people. Chief Stokes indicated crime can be influenced through a certain group of people.
PRESENTATION - RSSS SUPERINTENDENT DR. LYNN MOODY

Rowan-Salisbury School Systems (RSSS) Assistant Superintendent Dr. Julie Morrow submitted a proposal for a state-of-the-art Science, Technology, Engineering, and Mathematics (STEM) lab at Knox Middle School that would focus on coding. She explained the project would coincide with advanced manufacturing, including robotics, and serve all City schools, elementary through high school. She indicated the proposal would require infrastructure for Knox Middle School and professional development for teachers. She stated the STEM lab would provide summer camp and weekend and after school opportunities to elementary students in conjunction with Horizons Unlimited.

Councilmember Post pointed out the proposal totals $110,000, and $65,000 has been requested at this time. Dr. Morrow stated RSSS received a donation for the difference. Mr. Post inquired about the low reading levels at Knox Middle School, and he asked how the program will impact students. Dr. Morrow explained coding helps meet student needs at every reading level.

Mayor Pro Tem Blackwell asked how many students the program would reach. Dr. Morrow stated many students will benefit from the program.

Councilmember Hardin thanked Salisbury High School Principal Luke Brown for all he is doing to make the school successful, and he inquired about the career outlook for students post-graduation. Dr. Morrow commented the program could provide a lifetime of opportunities for students. She reported the program, in combination with the Golden Leaf Program, will create a pathway for robotic and coding exposure.

Councilmember Miller requested a report be brought back to Council regarding the STEM program and active projects at Knox Middle School.

Mayor Alexander inquired about the additional funding needed for the program. Dr. Morrow stated RSSS will continue to apply for grants and examine structural budgets. Mayor Alexander pointed out matching grants with City support will help to advance the program, and she commended staff for teaching a coding course designed to reach middle school girls.

Mayor Pro Tem Blackwell stated Council recognizes City schools and students are in need, and she invited additional schools to bring their educational proposals before the local boards where they are located.

Mr. Miller requested Mr. Brown address Council regarding scholarships. Mr. Brown reported $5.47 million in scholarships have been offered to Salisbury High School seniors, with over $3 million in scholarships having been accepted. He noted four students received full scholarships to Duke University and 76.4% of graduated seniors will attend a two year institution or enroll in the military.

Thereupon, Mr. Miller made a motion to authorize $65,000 in support of the Rowan-Salisbury Schools System STEM lab program for Knox Middle School. Mr. Post seconded the motion.
Councilmember Post referenced the $65,000 included in the budget, and he inquired about the appropriation. City Manager Lane Bailey explained Council agreed to revisit this item once the budget was adopted.

Councilmember Miller noted Council previously approved the funding and the plan was to be revisited and adopted.

Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

LAND DEVELOPMENT ORDINANCE AND DISTRICT MAP AMENDMENT CD-03-2017 – FAITH ROAD SHOPS

Development and Code Services Manager Preston Mitchell addressed Council regarding Land Development Ordinance and District Map Amendment CD-03-2017. He explained the petitioners, Jose and Faustian Escobar, are requesting to rezone approximately 1.8 acres at 517 Faith Road by establishing a new Conditional District (CD) Overlay to permit the development of an 11,000 square foot shopping center. He noted the property is currently split-zoned General Residential (GR) and Urban Residential (UR), and the request would consolidate the zoning to Corridor Mixed-Use (CMX) which is consistent with the zoning north of the parcel.

Mr. Mitchell reviewed a map of the area zonings. He pointed out the site and its proximity to Aldi’s and the Rowan County Department of Social Services. He stated the proposal is for an 11,000 square foot shopping center and the shops would be sized according to the market demand. He noted the property will have road frontage along Faith Road and Morrison Avenue, but no means of vehicular access to Morrison Avenue.

Mr. Mitchell displayed architectural renderings of the project, and he explained the building is constructed on the northern property line away from the neighborhood. He reviewed the proposed land uses, and he pointed out the CD Overlay would limit uses and address neighborhood concerns. He stated Project Architect Bill Burgin held a voluntary neighborhood meeting, prior to the Planning Board meeting, to discuss the proposal. He stated the community requested internet gaming be removed from the list of permitted uses and the petitioner agreed to the request.

Mr. Mitchell reviewed the permitted uses, and he pointed out the Planning Board requested drive through service, drive through retail restaurant and indoor amusement be removed from the permitted uses and the square footage of the building be maximized at 11,000 square feet. He noted the Planning Board recommended approval of the CD Overlay with conditions to include: the tree buffer against the three Fairview Street homes consist of an evergreen variety, operating hours for any use within the center end by 11:00 p.m., and a unified decorative sign plan must be submitted for the proposed building and free standing signs. He pointed out if the rezoning is approved a complete visual separation buffer will be required.
Mr. Mitchell noted the Vision 2020 Comprehensive Plan and the Eastern Gateway Area Plan are applicable to the proposed rezoning. He stated the Planning Board found the proposal is inconsistent with both plans, but it recommended approval because the site is better suited for higher intensity development.

Mr. Mitchell stated if Council approves a rezoning that is inconsistent with the Eastern Area Gateway Plan, State law requires an amendment to the plan to show the changes to the parcel. Councilmember Miller asked if the amendment would affect every parcel in the plan. Mr. Mitchell noted the amendment would only affect the parcel being considered by Council.

Councilmember Hardin asked if there will be an increase in traffic to the area. Mr. Mitchell noted there would be an increase in traffic, but neither the City’s Engineering Department nor North Carolina Department of Transportation (NCDOT) raised any concerns regarding traffic.

Councilmember Miller asked about the location of the dumpster. Mr. Mitchell pointed out the location of the dumpster, and he noted it is screened with landscaping along threes sides and allows for circulation.

Councilmember Post noted the area is bordered by two commercial thoroughfares and the proposed development seems like a natural progression. Mr. Mitchell stated the properties to the south of the parcel are zoned Residential Mixed-Use (RMX) and neighbors do not want to do anything that would harm their community.

Mr. Post asked if the homes located at 518 and 520 Faith Road are occupied. Mr. Mitchell indicated the homes are occupied. Mr. Post then asked if the homes located 202, 206, 210 and 230 Fairview Street are also occupied. Mr. Mitchell noted the homes are occupied and Fairview Street residents attended the Planning Board meeting.

Mr. Post asked what would happen if the required buffering is not planted. Mr. Mitchell explained the buffering would be required before a Certificate of Occupancy (COA) is issued.

(b) Mayor Alexander convened a public hearing, after due notice thereof, to receive comments regarding CD-03-2017.

Mr. Bill Burgin, 317 Mahaley Avenue, pointed out the building is as far from the neighborhood as possible and includes a fence and buffering. He commented the fence offers protection to the neighborhood, and the use and hours of operation have been limited. He explained NCDOT could require a turning lane in the future if traffic issues arise.

Mr. Wayne Saleeby, 1611 Old Mocksville Road, stated commercial zoning continues to expand and little thought is given to the residents. He noted the area along Faith Road, Jake Alexander Boulevard, Bringle Ferry Road, and Newsome Road is becoming entirely commercial.
Mr. Rodney Queen stated the proposal includes conditions to protect the neighborhood. He pointed out the Vision 2020 Comprehensive Plan is dated and an upgrade to the plan is being proposed. He indicated he would approve the proposal, and he thanked Council for protecting City neighborhoods.

There being no one else to address Council, Mayor Alexander closed the public hearing.

Mr. Miller noted there is minimal opposition to the proposal and public input was received during the community meeting and Planning Board process. Mr. Mitchell stated approximately 20 residents attended the community meeting and Fairview Street residents attended the Planning Board meeting. He noted staff received emails and phone calls from Fairview Street residents who were concerned about internet gaming and vehicular access to Morrison Avenue.

Mr. Miller pointed out the property borders the Rowan County Department of Social Services building and the orientation of the building provides a boundary to the development north of the property line.

Mr. Miller stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein is not consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan relative to promoting adaptive reuse along major streets where residential suitability has decreased, promoting office and institution use along the side of neighborhood planning areas, and promoting appropriate commercial growth at neighborhood corners; and the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein is not consistent with the goals, objectives, and policies of the Eastern Gateway Area Plan relative to the Future Land Use Map and Urban General Policy calling for the continued support and future development of residential uses; and the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein is reasonable, as evidenced by the proposed development plan exhibiting use limitations and conditions on development, and is in the public interest as evidenced by the removal of a vacant, dilapidated house resulting in redevelopment of the site for a neighborhood-serving business. Thereupon, Mr. Miller made a motion to adopt an Ordinance amending the Land Development Ordinance and the Land Development District Map of the City of Salisbury, North Carolina, rezoning one parcel at 517 Faith Road to Corridor Mixed-Use district and establishing a Conditional District Overlay to permit the development of an 11,000 square foot shopping center. Mr. Post seconded the motion. Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE AND THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING ONE PARCEL AT 517 FAITH ROAD TO CORRIDOR MIXED-USE (CMX) DISTRICT AND ESTABLISHING A CONDITIONAL DISTRICT OVERLAY TO PERMIT THE DEVELOPMENT OF AN 11,000 SQUARE FOOT SHOPPING CENTER.

(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page No. 182-183, and is known as Ordinance 2017-60.)
PUBLIC COMMENTS

Mayor Alexander read a statement and the Resolution establishing rules and procedures for public comment periods. She then opened the floor to receive public comments.

Mr. Ronnie Smith addressed Council on behalf of Rowan County veterans. He referenced a Vietnam memorial at City Park. He requested Council approve the Vietnam Memorial and noted the Parks and Recreation Advisory Board denied his request for a previously identified and preferred location for the memorial.

Ms. Janice Smith stated Mr. Smith has worked on the Vietnam Memorial for five years. She referred to the placement of the Vietnam Memorial, and she asked Council to consider placing the monument next to the Mural at the Flag Concourse at City Park.

Mr. Mark Beymer addressed Council as a supporter of Ronnie Smith. He referred to the impact of memorials, and he stated it is appropriate to remember Vietnam veterans.

Mr. Hercules Shannon addressed Council regarding the placement of the wall. He referenced his membership to Rowan County and North Carolina Veterans of the Foreign War.

Ms. Dee Dee Wright expressed funding concerns regarding the Rowan-Salisbury School System. She commented the school system’s performance dropped after a merger between County and City schools. She stated West End residents have requested of sidewalks for several years, and she noted citizens in the community are not being heard.

Mr. George Benson thanked Council for its service to the community, and he commended Council and staff on the Citizens Academy. He noted he learned many things about the City during his time in the Citizen’s Academy. He urged Council to do all it can to preserve Fibrant, and he asked citizens to participate in future Citizen Academies.

Ms. Anne Lyles stated she lives at the intersection of East Bank and South Long Streets. She explained South Long Street was widened in the 1970s which made the street difficult to cross and separated the neighborhood. She referenced the Complete Streets Study that was conducted, and she asked Council to consider the proposed improvements to South Long Street.

Mr. Michael Kirksey addressed Council regarding sidewalks on Old Plank Road and sidewalks to extend from Kelsey Scott Park to the West End community. He indicated the West End community received a $275,000 grant from the United States Housing and Urban Development (HUD) that was split with Rowan Helping Ministries and various entities leaving the West End community with approximately $100,000. He referenced rumors of Fibrant incentives being offered to citizens.

Ms. Carolyn Logan referenced recent crimes. She stated justice is needed for Ayana Allen, and she pointed out citizen’s water bills continue to increase.
There being no one else to address Council, Mayor Alexander closed the public comment session.

City Manager Lane Bailey noted a project update was provided at a previous Council meeting that included sidewalks on Old Plank Road and an expansion of the Greenway that will connect Kelsey Scott Park to the existing sidewalks on Brenner Avenue. He stated no one receives incentives from Fibrant.

Councilmember Post asked if sidewalks in the Brooklyn-South Square neighborhood are included in the Capital Improvement Plan (CIP). Mayor Alexander stated she spoke with City Engineer Wendy Brindle regarding restriping that was included in the Complete Street Study to create a cost effective median. She added restriping for parking and cross walks could calm traffic in the area. She explained many times when the City is awarded a grant, the funds are designated for a specific use and area.

Mr. Bailey commented Old Plank Road improvements will take place in concurrence with enhancements Livingstone College has planned. He explained the City will complete the work internally to save money. He noted the work on the Kelsey Scott portion of the Greenway is currently under way.

Mayor Alexander noted that the City has installed a sidewalk on Old Wilkesboro Road from Livingstone College to the College Park Apartments.

Councilmember Hardin requested Parks and Recreation Director Nick Aceves and City Landscape Architect Stephen Brown address Council regarding the Veterans Memorial. Mr. Aceves reviewed practices of the Parks and Recreation Advisory Board and staff procedures, and he discussed the initial plans for the Veterans Memorial. He explained the Parks and Recreation Advisory Board received presentations in July 2017, and the Advisory Board approved a plan.

Mayor Alexander stated the Parks and Recreation Advisory Board and Council approved a plan for the Veteran’s Memorial Wall. She asked if the veterans group was aware that the project is in its final stage.

Mr. Hardin pointed out Mr. Brown recently met with veterans to answer their questions and address their concerns. Mr. Brown commented that the veterans he met with support the plan and are ready to move forward with the project.

SECOND READING – LAND DEVELOPMENT ORDINANCE AND DISTRICT MAP AMENDMENT CD-02-2017 - FIRE STATION 3

Development and Code Services Manager Preston Mitchell noted there has been some activity regarding Land Development Ordinance and District Map Amendment CD-02-2017. He explained the request is to rezone three parcels 150, 154, 156 and a portion of 160 Mahaley Avenue, approximately 1.17 acres, to Residential Mixed-Use (RMX) by establishing a new Conditional District (CD) Overlay to permit the development of a new Fire Station 3. He indicated
the remaining portion of 160 Mahaley Avenue was to remain General Residential (GR) with a CD-Overlay, but the property owner, Mr. Bunker, has requested to remove the front portion of his property from the CD Overlay. He pointed out the stormwater detention facility and the buffering for the neighboring community would remain in the CD Overlay.

Mr. Mitchell explained the Ordinance was updated at Mr. Bunker’s request. Mayor Alexander asked if the City will own the property or if it will include an easement. Mr. Mitchell stated easements will be recorded by City Attorney Rivers Lawther at the closing and Mr. Bunker will retain ownership of the property. He added the easements will allow for access and utilization of the property for best management practices.

Mayor Alexander stated Mr. Bunker will own the property and the shared detention facility would serve as a buffer for any project completed in the front section of the parcel. Mr. Mitchell stated any changes would require an amendment to the CD Overlay. Mayor Alexander asked if the proposed changes to the Ordinance have been presented to the neighbors. Mr. Mitchell stated the buffer and the location of the buffer have been shown to the neighborhood.

Mr. Mitchell noted Council approved a first reading of the proposed Ordinance at a previous Council meeting, but a new motion would be required to address the proposed changes. City Manager Lane Bailey stated a new motion would require a four to one vote to pass on its first reading.

Councilmember Post explained there has been no testimony regarding property values other than Mr. Burgin who testified that there would be no change in the neighboring property values. He added since there is no evidence property values will be impacted he does not believe he should be recused from the proceeding. City Attorney Rivers Lawther agreed with Mr. Post, and he noted Mr. Post has determined that he does not have a conflict of interest. Mr. Post noted he lives two blocks away from the proposed location of Fire Station 3 and he does not think it will impact his property.

By consensus, Council agreed that Mr. Post did not need to recuse himself from the proceeding.

Mayor Pro Tem Blackwell referenced Mr. Burgin’s address to Council that stated home values in the area were not affected when Walgreens was constructed and similar results were expected for the construction of Fire Station 3.

Mr. Mitchell stated there is no change to the substance of the proposal or its intent for buffering. He added Mr. Bunker retracted the portion of the property he owns from the CD Overlay. Mr. Miller stated the home is currently zoned GR-6. He noted the back portion of the proposed development has been removed as requested, the vegetation along the 675 foot contour line will remain undisturbed except for what must be removed for the detention facility, and the buffer will be constructed along the back property line. He pointed out the proposal meets the spirit and intent Council requested for a final plan.
Mr. Post stated he is still concerned Fire Station 3 will affect property values for citizens who live along Lilly Avenue. He pointed out the choices for Fire Station 3 are limited and moving it to Mahaley Avenue will increase the 1.5 mile coverage radius. He noted the community surrounding the proposed location has anxiety, and he questioned if the vote should be taken today.

City Manager Lane Bailey explained there is a limited area to site Fire Station 3 and receive the maximum benefit. He commented the Mahaley Avenue site is in the area and available for purchase. He added the Mahaley Avenue site is the third or fourth property to be considered for Fire Station 3. Mayor Alexander commented the City has options to purchase from both property owners, and she pointed out gathering property in a compact urban area is challenging. She added the property will be zoned and ready when Fire Station 3 is constructed in the future.

Mr. Post stated he will abstain from voting because the decision will affect his neighbors. He added he does not think it will affect his property values, but he indicated the item should be tabled.

Mr. Miller stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property as described here in by establishing a Conditional District Overlay is reasonable, in the public interest and consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan as it relates to promoting safe neighborhoods, supporting a compact urban design, provides for more efficient services, and the architecture and design of the site are a pleasant addition to the neighborhood and City. Thereupon, Mr. Miller made a motion to adopt an Ordinance amending the Land Development Ordinance and Land Development District Map of the City of Salisbury, North Carolina rezoning three parcels at 150, 154, 156, and a portion of 160 Mahaley Avenue to Residential Mixed-Use District and establishing a Conditional District Overlay to all of 150, 154, 156 and a portion of 160 Mahaley Avenue to permit the development of a new Fire Station 3 with the conditions noted. Ms. Blackwell seconded the notion. Mr. Post abstained from voting.

Mr. Miller and Mses. Alexander and Blackwell voted AYE. Mr. Hardin voted NAY (3-1). Mr. Post abstained from voting.

Thereupon, Mr. Miller made a motion to authorize the City Attorney and City Manager to execute the option to purchase the parcel. Ms. Blackwell seconded motion. Messrs. Miller and Post, and Mses. Alexander and Blackwell voted AYE. Mr. Hardin voted NAY (4-1)

ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE AND LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA REZONING THREE PARCELS AT 150, 154, 156, AND A PORTION OF 160 MAHALEY AVENUE TO RESIDENTIAL MIXED-USE (RMX) DISTRICT AND ESTABLISHING A CONDITIONAL DISTRICT OVERLAY TO ALL OF 150, 154, 156 AND A PORTION OF 160 MAHALEY AVENUE TO PERMIT THE DEVELOPMENT OF A NEW FIRE STATION 3.

(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page No. 184-185, and is known as Ordinance 2017-61.)
**It will be necessary to have a second reading on the above Ordinance due to the lack of an affirmative vote of two-thirds of all members of the City Council required to pass an Ordinance at its first reading**

PARKING RESTRICTIONS-ALONG EAST AND WEST COUNCIL STREET

Mayor Pro Tem Blackwell made a motion to recuse Mayor Alexander from the proceeding. Mr. Miller seconded the Motion. Messrs. Hardin, Miller and Post, and Ms. Blackwell voted AYE. (4-0)

Traffic Engineering Coordinator Vickie Eddleman requested Council consider a change to Section 13-357, Article X, and Chapter 13 of the City Code. She pointed out City signs match the definition of the Ordinance which states parking is restricted until 7:00 p.m., but the title of the Ordinance incorrectly states parking is restricted until 6:00 p.m. She requested the title of the Ordinance be amended to note the corrected time of 7:00 p.m.

Ms. Eddleman indicated the petitioner, Mr. Henry Alexander, is requesting to change the existing two-hour parking restriction within the 100 and 200 blocks of East Council Street and the 100 block of West Council Street. She pointed out the request would not impact safety in the area.

Councilmember Miller explained citizens are limited to two-hour parking in the area on the weekends.

Councilmember Post asked if the intent was to limit the two-hour parking on the weekends or after 5:00 p.m. Mr. Miller explained the request is to remove the parking restriction after 5:00 p.m. when the business day is over.

Thereupon, Mr. Miller made a motion to adopt an Ordinance amending section 13-357 and section 13-358, Article X, Chapter 13, of the Code of the City of Salisbury, relating to parking of vehicles and would include the construction to correct the language and title of this section to match the hours of the definition. Mr. Hardin seconded the motion. Messrs. Hardin, Miller and Post, and Ms. Blackwell voted AYE. (4-0)

AN ORDINANCE AMENDING SECTION 13-357 AND SECTION 13-358, ARTICLE X, CHAPTER 13, OF THE CODE OF THE CITY OF SALISBURY, RELATING TO PARKING OF VEHICLES

(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page No. 169, and is known as Ordinance 2017-48.)

Thereupon, Mr. Miller made a motion to return Mayor Alexander to the Dias. Mr. Posts seconded the motion. Messrs. Hardin, Miller and Post, and Ms. Blackwell voted AYE. (4-0)
DEMOLITION – 228 EAST KERR STREET

City Planner Kyle Harris presented information to Council regarding a demolition permit for 228 East Kerr Street. Mr. Harris explained the Rowan County Convention and Visitors Bureau (CVB) brought the request to the Historic Preservation Commission (HPC) in August to demolish the property while preserving the brick façade on the front of the building. He stated HPC approved the immediate demolition due to the condition of the structure contingent upon preserving the historic brick facade.

Mr. Harris noted in September the HPC approved new construction on the site, but a demolition permit is required from Council to approve the request. He displayed photographs of the property which was built in 1925 and is located across from the Lee Street Theater. He added the structure is included in the Salisbury Railroad Corridor National Historic District and the Local Historic District.

Mr. Harris pointed out the petitioner revised the request to widen the entryway and the HPC approved the request. He noted the Historic Salisbury Foundation would have preferred to preserve the façade as is, but the HPC approved the request to widen the entryway. He asked Council to consider issuance of the demolition permit. He referenced a Structural Observations Report of the building that noted the structure is in poor condition and structurally unstable.

Mr. Harris commented the proposed redevelopment is open-air and would accommodate public uses such as an open-air market place. He added the widened entryway will serve as a vehicular access point to the parking lot in the back.

Councilmember Hardin noted the structural integrity of the building is compromised, and he asked what contingencies are in place to keep the public safe. Mr. Harris commented the structure is on private property, and he is unaware of the specific measures that are being taken to keep people out of the area. Mr. Hardin then asked when the demolition would take place. Mr. Harris stated the applicant has an approved Certificate of Appropriateness (COA) for demolition and reconstruction. He noted once Council approves the permit for demolition, the demolition permit application process will begin.

Councilmember Post asked if the property owner has agreed to the structural requirements. Mr. Harris noted the applicant is required to reconstruct the building as submitted which meets City Code. Mr. Post asked about the possibility of the wall collapsing during the demolition process. Mayor Alexander noted a steel structural wall will be built to protect the façade. Mr. Harris stated the applicant testified at the HPC meeting that a structural support frame will be built for the façade that will remain.

Mayor Pro Tem Blackwell noted she received calls regarding the item, and she pointed out the building is not contributing to aesthetic sense of the area. She stated she is glad the façade is being retained while creating a safe building.

Mayor Alexander stated the project is adaptive reuse and the City needs a space for the farmer’s market and an outdoor venue.
Thereupon, Mr. Miller made a **motion** to approve the demolition of the structure located at 228 East Kerr Street. Mr. Post seconded the motion. Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted **AYE**. (5-0)

**RECESS**

By consensus Council agreed to take a brief recess.

Thereupon, Mr. Miller made a **motion** to reconvene the meeting. Ms. Blackwell seconded the motion. Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted **AYE**. (5-0)

**UPDATE—SALISBURY HOUSING STABILIZATION**

This item was postponed.

**BOARDS AND COMMISSIONS**

**Housing Authority Board of Commissioners**

Upon a motion by Mr. Post, seconded by Mr. Miller, and with Mr. Hardin and Mses. Alexander and Blackwell voting **AYE**, the following reappointment was made to the Housing Authority Board of Commissioners:

Dr. Mary Francis Edens

Term Expires 9/21/2022

**CITY MANAGER’S COMMENTS**

(a) **First Quarter Financial Update**

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

Ms. Harris referenced property tax values for the first quarter, and she noted $2.833 million is budgeted, $2.588 million had been billed, and $2.837 million is projected to be billed. She noted property tax will be over budget based on the budgeted and projection amounts.

Ms. Harris reviewed the budget verses actual and variance for each department. She reviewed special projects, and she noted Human Resources is 49.1% expended due to property insurance not being allocated. She added Planning and Community Development special projects are 3% expended and other expenditures will occur later in the year. She indicated Information Technologies is 44.6% expended due to paid annual maintenance costs at the beginning of the
fiscal year. She noted Engineering special projects are 16% expended and other expenditures will occur later in the year. She reported the Street Department is at 16.4% expended and spring projects will take place in the fiscal year.

Ms. Harris reviewed the Water and Sewer Fund revenue for the first quarter, and she explained the Water and Sewer Fund revenue was estimated at $6 million in the first quarter and $6.7 million was received.

Ms. Harris reviewed Fibrant customers billed, and she noted the usage trend has remained steady. Ms. Harris pointed out a net operating income for the first quarter of $99,506, which is a net deficit of $173,679 that includes the debt service of $273,185.

Ms. Harris reviewed the Transit Fund for the first quarter, and she explained the Transit Fund is budgeted $21,000 and it received $18,000 in first quarter. She noted expenditures are low due to funds that have not been expended for capital outlay.

Ms. Harris noted Stormwater revenues remain level for the first quarter, and expenditures are below budget.

Councilmember Post requested a more detailed financial report.

Councilmember Miller noted in the past, Council had only requested a summary financial report, but he agreed a more detailed financial report would benefit Council.

(b) Innovative Technologies in Salisbury Rowan Utilities

This item was postponed.

MAYOR 'S ANNOUNCEMENTS

(a) Halloween Fun Fest

Mayor Alexander announced Parks and Recreation, in partnership with Downtown Salisbury, Inc., will host the annual Halloween Fun Fest Saturday, October 28, 2017 from 3:00 p.m. until 6:00 p.m. in the City Hall parking lot. Activities will include carnival games, live entertainment, trick or treating, a hay bale maze, costume contest, pet costume contest and more. Game tickets are $5.00 for an unlimited pass.

(b) Community Appearance Commission

Mayor Alexander announced the Community Appearance Commission and Housing Advocacy Commission will sponsor the B1ockWork Neighborhood Improvement Project on National Make A Difference Day Saturday, October 28, 2017, in the 700 and 800 blocks of North Lee Street. If you are interested in volunteering for all or part of the day, please contact the Community Planning Office at 704-638-5242.
(c) Spruce-up Week

Mayor Alexander announced Spruce-up week is October 23-27, sponsored by the Community Appearance Commission (CAC) and the Public Service Department, is held two times a year from Salisbury residents. During this week, the Public Service Department asks that residents put items out on their regular collection day, including unwanted appliances and tires without rims, as well as, additional household trash. The CAC encourages neighborhood cleanups during this time. Please call 704-638-5260 with any questions or to arrange for special pick-ups.

(d) Free Transit on Election Day

Mayor Alexander announced on Election Day, November 7th, Salisbury Transit is offering free bus rides all day for everyone. Operating hours are 6:00 a.m. – 7:08 p.m. All buses are equipped to accommodate mobility devices. Take advantage and have your voice heard! We thank Veterans and their families for their service.

(e) Free Transit for Veterans on Veterans Day

Mayor Alexander announced all Veterans can ride Salisbury Transit FREE on Veterans Day, Saturday, November 11, 2017. Regular routes operate 9:30 a.m. until 3:20 p.m. and the Weekend Express operates 3:15 p.m. until 11:15 p.m. All buses are equipped to accommodate mobility devices. We thank Veterans and their families for their service.

Visit www.salisburync.gov/Transit for detailed information on routes and schedules.

(f) Hurley Park Annual Lecture and Plant Giveaway

Mayor Alexander announced a Hurley Park Lecture will be held Thursday, October 19, 2017 at 1 Water Street, she noted the speaker will be Coker Arboretum Curator, Margo MacIntyre and FREE plants will be given to participants.

(g) Hurley Park Brass on the Grass Event

Mayor Alexander announced the Hurley Park, Brass on the Grass event, is a brass quintet with members from the Salisbury Symphony that will perform at Haden’s Gazebo at Hurley Park located at Annandale and North Craig Street, she noted the event is Sunday, October 22, 2017 at 2:00 p.m. and is free to the public.

CLOSED SESSION

Mayor Alexander asked for a motion to go into closed session to consult with an attorney as allowed by NCGS 143-318.11 (a)(3).
Thereupon Mr. Miller made a motion to go into closed session as allowed by NCGS 143-318.11(a)(4). Mr. Post seconded the motion. Messrs. Hardin, Miller, and Post and Mses. Alexander and Blackwell voted AYE. (5-0)

RETURN TO OPEN SESSION

Mayor Alexander requested a motion to return from closed session to consult with an attorney as allowed by NCGS 143-318.11 (a)(3).

Thereupon Mayor Pro Tem Blackwell made a motion to return from closed session as allowed by NCGS 143-318.11(a)(4). Mr. Miller seconded the motion. Messrs. Hardin, Miller, and Post and Mses. Alexander and Blackwell voted AYE. (5-0)

Mayor Alexander noted no action was taken during closed session.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Miller seconded by Mr. Post. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 9:37 p.m.

Karen Kirks Alexander, Mayor

Diane Gilmore, City Clerk