

Salisbury, North Carolina
July 20, 2021

REGULAR MEETING

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

ABSENT: Councilmember William Brian Miller.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. 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 VISITORS

Mayor Alexander welcomed all visitors present.

ADOPTION OF THE AGENDA

Thereupon, Mayor Pro Tem Heggins made a **motion** to adopt the Agenda. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

PROCLAMATIONS

Mayor Alexander proclaimed the following observance:

INDEPENDENT RETAILER MONTH

July 2021

CONSENT AGENDA

(a) Minutes

Adopt Minutes of the Regular Meeting of June 15, 2021.

(b) Resolution – North Carolina Governor’s Highway Safety Program

Adopt a Resolution approving the application for the 2021 North Carolina Governor’s Highway Safety Program grant in the amount of \$25,000 to provide for overtime and additional patrols for high crash and speeding locations.

NORTH CAROLINA GOVERNOR’S HIGHWAY SAFETY PROGRAM LOCAL GOVERNMENT RESOLUTION.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 14, and is known as Resolution 2021-13.)

(c) Justice Assistance Grant (JAG)

Approve an application for a United States Department of Justice Assistance Grant in the amount of \$34,022, with Rowan County Sheriff’s Office receiving \$11,194 and Salisbury Police Department receiving \$22,828.

(d) Right-Of-Way Use Permit – 100 block of South Lee Street

Approve the extension of a Right-of-Way Use Permit in the 100 block of South Lee Street and the 200 block of East Innes Street for work being performed at 201 East Innes Street until August 10, 2021.

(e) Resolution of Support – Cabarrus-Rowan Metropolitan Planning Organization

Adopt a Resolution of Support for an application to the Cabarrus-Rowan Metropolitan Planning Organization for Surface Transportation Block Grant Program Direct Attributable funds, with a 20% City match, for roadway safety improvements on Brenner Avenue between Jake Alexander Boulevard and Milford Hills Road, including a roundabout at Milford Hills Road.

RESOLUTION SUPPORTING ROADWAY SAFETY IMPROVEMENTS FOR BRENNER AVENUE.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No.15, and is known as Resolution 2021-14.)

(f) Budget Ordinance Amendment – Peeler Road Water Main Extension Project

Adopt a budget Ordinance amendment to appropriate Fund Balance from the Water Sewer Fund in the amount of \$290,000 and a revenue appropriation of \$290,000 for a project estimate of \$580,000 for the construction of the Peeler Road Water Main Extension project.

ORDINANCE AMENDING THE 2021-2022 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO FUNDS FOR WATER MAIN EXTENSION.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 131, and is known as Ordinance 2021-53.)

(g) Resolution – Memorandum of Agreement

Adopt a Resolution approving the Memorandum of Agreement between the State of North Carolina and local governments on proceeds relating to the settlement of opioid litigation.

RESOLUTION BY THE CITY OF SALISBURY APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE STATE OF NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page Nos. 16-17, and is known as Resolution 2021-15.)

(h) Change Order and Budget Ordinance – NJR Group

Approve a change order in the amount of \$100,000 to the existing contract with NJR Group and adopt a budget Ordinance amendment to the FY2021-2022 Budget to appropriate Fund Balance in the amount of \$100,000 for paving.

ORDINANCE AMENDING THE 2021-2022 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE FUND BALANCE FOR PAVING.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 132, and is known as Ordinance 2021-54.)

(i) Resolutions – Transfer Ownership of Retired Police Canines

RESOLUTION TRANSFERRING OWNERSHIP OF POLICE DOG “ARNIE”.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No.18, and is known as Resolution 2021-16.)

RESOLUTION TRANSFERRING OWNERSHIP OF POLICE DOG “ZEUS”.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 19, and is known as Resolution 2021-17.)

RESOLUTION TRANSFERRING OWNERSHIP OF POLICE DOG “ZUUL”.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 20, and is known as Resolution 2021-18.)

Thereupon, Councilmember Post made a **motion** to adopt the Consent Agenda as presented. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

Mary Walker shared her concerns regarding treatment of the public by the Police Department.

Carol Pomeroy shared her concerns regarding the use of force by some police officers.

Dora Mbuywansengo also shared her concerns about the Police Department.

Beverly Cuthbertson discussed her concerns regarding her son’s interactions with the Police Department and charges she did not feel were warranted.

Nan Lund expressed her concerns regarding the use of force on a motorist during a traffic stop.

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

VOLUNTARY ANNEXATION – PFJ, SOUTHEAST, LLC

City Engineer Wendy Brindle addressed Council regarding the voluntary annexation of 8.754 acres owned by PFJ, Southeast, LLC, Parcels 408-024 and 408-089 located near Peeler Road, effective June 30, 2021. She noted voluntary annexation of the two parcels is part of an agreement for the extension of a waterline to the property.

Mayor Alexander convened a public hearing after due notice regarding the voluntary annexation of 8.754 acres located near Peeler Road.

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

Thereupon, Mayor Pro Tem Heggins made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, North Carolina, to include 8.75 acres, Tax Map 408 Parcels 024 and 089, owned by PFJ, Southeast LLC, effective June 30, 2021. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, TO INCLUDE 8.754 ACRES, TAX MAP 408 PARCELS 024 AND 089, PFJ SOUTHEAST, LLC.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page Nos. 133-134, and is known as Ordinance 2021-55.)

LAND DEVELOPMENT ORDINANCE TEXT AMENDMENT LDOA-02-2021

Planning Director Hannah Jacobson addressed Council regarding Land Development Ordinance Text Amendment LDOA-02-2021 to amend Chapter 15 of the Land Development Ordinance (LDO) related to the Local Historic Landmark zoning overlay. She noted at its March 17, 2021 meeting Council adopted a moratorium on historic landmark applications. She added staff has worked with the preservation community to conduct research both regionally and nationally. She asked Preservation Consultant Catherine Garner to present the research findings to Council.

Ms. Garner explained the moratorium Council adopted in March is good for six months. She added staff drafted a proposal to the Landmark Ordinance to be presented to the Historic Preservation Commission (HPC). She noted the first draft was presented to the HPC in March and the commission held a public hearing in May.

Ms. Garner stated the proposal was presented to the Planning Board in June and it tabled the request in order to include the definitions that were incorporated by reference in the document. She added at its July 13, 2021 meeting the Planning Board adopted the revised draft.

Ms. Garner noted the proposal includes two categories for potential designation: a Local Historic Landmark Property (LHLP) and a Local Historic Landmark Cultural (LHLC). She explained both categories would fall under the umbrella of Local Historic Landmarks per North Carolina General Statute 160D-946. She pointed out all properties would be entitled to a tax incentive and be required to obtain a Certificate of Appropriateness (COA) for any work on the exterior of the property or interior if the property is landmarked.

Ms. Garner explained LHLP is a building, structure, site, or object, which may or may not be listed on the National Register of Historic Places that is an outstanding example of a historic resource and is intended to be recognized for its architectural integrity. She indicated in addition

to documented special significance, these properties maintain the highest degree of integrity and are further recognized for their rarity among properties in the City.

Ms. Garner indicated LHLC is a building, structure, site, or object that is important to the culture and diversity of the City and has affected the broad pattern of Salisbury's history and has represented a part of Salisbury's cultural heritage for at least 25 years. She noted this category is intended to recognize locations that are not traditionally included in the National Register or Local Historic Districts but nonetheless have attributed to cultural change in the City.

Ms. Garner stated the additional category was created to increase participation in the preservation program. She indicated one of the biggest improvements to the Ordinance is that all of all of the criteria is clearly spelled out.

Ms. Garner pointed out the proposal before Council defines what is needed to have a local historic landmark and is based on the Secretary of Interior Standards. She noted LHLP is a historic resource that is determined to have:

- Special significance in at least one of the four criterion as defined in this Ordinance
- Integrity in all of the seven criterion as defined in this Ordinance

Ms. Garner explained the LHLC is a resource that is determined to have:

- Special significance in either category
- Integrity in four of the categories as defined in this Ordinance:
 - Location
 - Setting
 - Feeling
 - Association
- Local cultural criteria in at least one of the four criterion as defined in this Ordinance

Ms. Garner explained special significance is defined by the Secretary of the Interior and the National Register:

- A – places associated with events that have made a significant contribution to the broad patterns of the City's history
- B – places that are associated with the lives of significant persons in the City's past
- C – structures or historic resources that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction
- D – places that yielded or may yield information important to history or prehistory

Ms. Garner indicated integrity is also defined by the Secretary of the Interior and the National Register:

- Location – where the historic property was constructed or the place where the historic event occurred

- Design – the combination of elements that create the form, plan, space, structure, and style of a property
- Setting – the physical environment of a historic property
- Materials – the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property
- Workmanship – the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory
- Feeling – the property’s expression of the aesthetic or historic sense of a particular period of time
- Association – the direct link between an important historic event or person and a historic property

Ms. Garner reviewed local cultural criteria:

- It represents a resource that greatly contributes to the character or image of a defined neighborhood or community through association with a person or event
- Buildings or places which have represented a part of Salisbury’s cultural heritage for at least 25years
- Institutions that provide evidence of the cultural history of Salisbury (churches, universities, art centers, theaters and entertainment halls) as well as stores, businesses and other properties that provide a physical record of the experience of particular ethnic groups
- Markets and commercial structures or blocks which are important to the cultural life of Salisbury and groups of buildings, structures and/or sites representative of, or associated with particular social, ethnic or economic groups during a particular period

Ms. Garner explained the local cultural criteria is intended for neighborhoods that do not have enough integrity to meet traditional national register requirements, but it is important to the City to recognize the structures importance

Ms. Garner reviewed the process to designate:

- A pre-application is prepared and reviewed by the HPC
- If approved, a report is prepared documenting and justifying eligibility under all aspects
- The report is submitted to the State Historic Preservation Office (SHPO) for the required 30-day comment review
 - SHPO does not provide a recommendation it states adequate information is available to make a decision
- HPC receives the report and comments from SHPO, holds a public hearing and makes a recommendation to Council
- Council receives the report and comments from SHPO and recommendation from the HPC; holds a public hearing and makes a final decision

Ms. Garner commented it is best for the conversations to take place early in the process to keep things moving as quickly and efficiently as possible. She reviewed key considerations:

- Restricting the program further did not eliminate subjective aspects of the landmark program
 - Clearly identifying designation requirements helps
 - Creating the LHLC category expands preservation efforts beyond the traditional
- Historic preservation has a positive impact on local revenue
 - Studies show preservation positively influences housing values, heritage tourism, civic pride, among other benefits
 - Donovan Rypkema's Place Economics
- An Economic Impact Study may be necessary to determine the full impact of a preservation program

Councilmember Post asked if a property could receive landmark status if it is in a historic district. Ms. Garner stated state law leaves it open to whoever is willing to go through the process for the designation. She indicated the process has been used by the Historic Salisbury Foundation (HSF) to preserve properties that are not under the protective umbrella of the local historic district.

Councilmember Post referenced the 50% reduction in property taxes if the property meets the qualifications. He asked if properties could qualify individually, even though they are included in a local historic district. Ms. Garner agreed, and she pointed out Council has the subjectivity to determine if a structure does not meet the criteria.

Mayor Alexander commented the designation allows for a 50% annual property tax credit. She asked if the property owner would be eligible for the tax credit if the property falls into neglect. Ms. Garner noted the State Statute includes language that states a property is eligible for the 50% tax break as long as it maintains the characteristics for which it gained the landmark status. She explained the same process is followed to list or to delist a property. Mayor Alexander commented Council would not want to give a tax credit and then the property fell into disrepair. She asked if it is possible to include the State Statute language regarding the integrity of the property in the proposed Ordinance to help the applicants. Ms. Garner agreed and noted staff has conversations with an applicant before they begin the application process. She pointed out the property owner has to apply for the status annually.

Mayor Alexander convened a public hearing after due notice to receive comments regarding LDOTA-02-2021.

HPC Chair Andrew Walker indicated he does not think there will be influx of applications, and he referenced the economic benefits of historic preservation. He pointed out the cultural aspect of the program is important, and he commented there are cultural icons around the City that should be recognized by the local communities.

Mr. Eugene Goetz commented he owns a historic property in the City, and he added historic properties are a real asset to the City. He noted historic properties require consistent maintenance, and Council should not be concerned about a rush of applications.

Ms. Sue McHugh stated she lives in a historic home on North Main Street, and she noted many of the houses in the area would not meet the proposed Landmark status criteria. She added

she does not think Council should be concerned about a huge tax loss, and she pointed out the property owners who will undergo the procedure it takes to meet the intense criteria will be limited.

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

Councilmember Sheffield thanked Ms. Garner for her presentation, and she recognized staff for its work on the proposal. She stated she likes the two categories because cultural and landmark designations are not the same. She added the criteria is clearly spelled out and it extends to all the neighborhoods. She noted she supports the proposed Ordinance.

Councilmember Sheffield stated the City Council hereby finds and determines that adoption of an Ordinance to amend the Land Development Ordinance of the City of Salisbury as underlined or stricken herein is reasonable, in the public interest, and not inconsistent with the Vision 2020 Comprehensive Plan. Thereupon, Ms. Sheffield made a **motion** to adopt an Ordinance amending Chapter 15 (Development Process) of the Land Development Ordinance of the City of Salisbury, North Carolina related to Ordinance Conformance of the Local Historic Overlay District and Historic Landmark Overlay District Establishment.

City Attorney Graham Corriher suggested adding a statement that notes the temporary moratorium is hereby repealed upon adoption of this Ordinance. He explained he can reference the citation to the Ordinance so it will be included in one document. Councilmember Sheffield accepted the amendment to the motion.

Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE AMENDING CHAPTER 15 (DEVELOPMENT PROCESS) OF THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA RELATED TO ORDINANCE CONFORMANCE OF THE LOCAL HISTORIC OVERLAY DISTRICT AND HISTORIC LANDMARK OVERLAY DISTRICT ESTABLISHMENT.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 135-139, and is known as Ordinance 2021-56.)

LAND DEVELOPMENT DISTRICT MAP AMENDMENT Z-02-2021

Development Services Manager Teresa Barringer addressed Council regarding Land Development District Map Amendment Z-02-2021 to rezone 1.09 acres, Tax Map 471 Parcel 067 located at 120 Dollie Circle from Light Industrial (LI) to Corridor Mixed Use (CMX). She explained the original petition requested Urban Residential (UR) UR-12 zoning to be consistent with the contiguous zoning of the existing mobile home park. She stated the Planning Board determined that CMX would be a more appropriate zoning in keeping with the South Main Street Corridor for commercial development and would bring the current nonconforming structure at 120 Dollie Circle into conformity.

Ms. Barringer reviewed a map of the area, and she added the petitioner is Mr. Abilio Ibanez who lives in the home.

Ms. Barringer noted Chapter 2.4.D of the Land Development Ordinance (LDO) requires a 150-foot external setback, which means abutting property that is not LI or Heavy Industrial (HI) would require a 150-foot setback.

Ms. Barringer indicated the LDO does not permit single-family residential in LI zoning by right or house building type, so the structure and the use are considered legal nonconforming. She noted both the current and previous property owners assumed the home had the same zoning as the neighboring mobile home park, as it was all under the same ownership at that time.

Ms. Barringer stated the neighboring mobile home park was recently purchased and the new owner made a substantial investment to improve the area. She added the tract is 1.9 acres and it could not be used as a standalone parcel for LI zoning because the tract would not meet the external use set back requirements.

Councilmember Post pointed out the property is a single-family residence and the neighboring mobile home park is zoned UR-12. He questioned why the proposal is to rezone the property to CMX when it is a single-family residence in a residential community. Ms. Barringer explained the original petition was a request to rezone the LI parcel to UR to be consistent with the contiguous zoning around it. She added Planning Board did not like the idea of expanding the residential zoning in the South Main Street Corridor that was designed for future commercial growth. She added the infrastructure and investment is there for future growth in the commercial and industrial aspect. She noted Planning Board believed the CMX zoning would bring the property into conformity while keeping to the Ordinance and the intent of the South Main Street Corridor of growth should he ever sell the property.

Councilmember Post pointed out there are four different zonings in the area. Ms. Barringer agreed, and she noted the only residential pocket is the UR-12 zoning and everything else is commercial zoning, LI, Highway Business (HB), and CMX. She stated the only pocket of residential was the existing non-conforming mobile home park and the Planning Board did not want to further expand a residential use in a heavily populated commercial area.

Councilmember Post expressed concerns about a gas station or convenience store possibly being located beside 25 or 30 homes in the future due to the proposed zoning. Councilmember Sheffield pointed out LI zoning allows for certain types of businesses. Ms. Barringer agreed, and she indicated a gas station would be allowed in LI zoning with no restrictions, whereas CMX would restrict the number of pumps allowed.

Ms. Barringer explained both CMX and LI zonings allow commercial building types whereas UR-12 does not. She added the Planning Board discussed the situation in depth and believed rezoning to UR-12 moved toward being inconsistent with the Comprehensive Plan regarding the South Main Street Corridor and the growth anticipated for that area. She pointed out the Planning Board believed CMX zoning met both platforms in a reasonable tone supported by the Comprehensive 2020 Plan.

Ms. Barringer stated a 1.09 acre track would support few things in a commercial context, and she noted to put a gas station on a 1.09 acre track and have a turnaround radius for gas pumps while meeting the parking requirements would be difficult. She commented it is a unique parcel with a unique situation and the Planning Board wanted to meet Mr. Ibanez's needs as a citizen. She pointed out he was unduly restricted under LI zoning because the structure is non-conforming. Mayor Alexander noted the rezoning was suggested by the Planning Board so Mr. Ibanez would be able to add on to a home that he purchased in good faith.

Mayor Pro Tem Heggins indicated the Planning Board made a good recommendation to Council given the circumstances and the restrictions.

Mayor Alexander convened a public hearing after due notice to receive comments regarding Land Development District Map amendment Z-02-2021.

Mr. David Franks stated his family originally owned the property and the mobile home park. He reviewed the history of the property which was annexed into the City in 2008 creating the inconsistency. He noted Mr. Ibanez wants to be able to make improvements to his home, and he asked Council to approve the proposed rezoning.

Mr. Ibanez stated when he bought the home he did not realize the property was nonconforming. He indicated his family is happy in the home.

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

Councilmember Post stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property at 120 Dollie Circle as requested is not inconsistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan due to the proposed petition, site characteristics, surrounding development pattern, and observations provided by City planning staff, identifying there are no policies in direct opposition to the petition. Thereupon, Mr. Post made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina, rezoning Tax Map 471 Parcel 067 from Light Industrial to Corridor Mixed-Use consisting of approximately 1.09 acres. Upon a roll call vote Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (4-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING TAX MAP 471 PARCEL 067 FROM LIGHT INDUSTRIAL TO CORRIDOR MIXED USE APPROXIMATELY 1.09 ACRES.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 140, and is known as Ordinance 2021-57.)

POLICE DEPARTMENT - DIVERSITY, EQUITY, AND INCLUSION ASSESSEMENT

Mr. Willie Ratchford and Dr. Anthony Wade from WPR Consultants presented an assessment and recommendations to address allegations of racial division in the Salisbury Police Department.

Mr. Ratchford described the process for conducting the assessment. He noted over 100 individuals from the Police staff, community organizations and individuals were engaged through interviews and focus groups. He stated they met with representatives of the National Association for the Advancement of Colored People (NAACP), Human Relations Council, Rowan Racial Equity Institute, and Actions in Faith and Justice. He indicated they reviewed the City's racial and ethnic demographics, as well as the history and diversity of the Salisbury Police Department (SPD).

Mr. Ratchford stated their analysis found that race, racism and conflict resolution is at the heart of many perceptions and allegations against the Police Department. He commented in order to address these issues employees of the SPD must be willing to take race and racism and the conflicts they cause head on. He added staff must be willing to communicate with one another and to hold each other accountable.

Dr. Boyd stated they had developed a conversation module which will allow employees to have substantive conversations on racism and bias and the effect they have on Black, Brown and White people. He noted they are also available to provide "Train-the-Trainer" training for City employees to facilitate this module.

Dr. Boyd indicated one of their primary requests was to complete an assessment regarding perceptions of racial division in the SPD. He noted after engaging over 100 individuals they provided a detailed assessment in their final report to Police Chief Jerry Stokes.

Dr. Boyd stated they were contracted to get a sense of racial division in the SPD based upon perceptions by some in the department and in the community. He pointed out most personnel interviewed across demographics did not share this concern with them in the group sessions. He shared the following assessments:

- Blacks and Whites feel that external perceptions in the community have affected relationships within the Department
- Black and White perceptions of race and gender equity inside the SPD should be valued
- Black and White perceptions of racial division in the SPD are different. The SPD has a racial perception divide. Most of the personnel who believe there is racial division (to include racism) in the department are Black while most of the personnel who believe the department does not have a racial divide (no racism) are White
- Blacks and Whites perceive elected officials are utilizing issues within the Police Department politically
- Blacks and Whites who may have different perceptions on the existence of a racial divide or racism within the department do not talk with one another to get some sense as to why they perceive this issue so differently

- SPD, in and of itself, is not racially divided, however, there is a sense that there are individuals who were employed by the department who have engaged in behavior that may be viewed as racist
- Many SPD personnel (Blacks and Whites) believe the department has generational division caused by an age gap in the department
- Racial tensions exist within the SPD, due in part to the failure of police personnel to communicate with one another on issues of race or racial division. Personnel in the department who may have racial issues with one another do not talk it through with one another to get to the bottom of what may be going on
- Strong perception by some SPD personnel that racial issues and a racial divide in the SPD is caused, in part, by the media and its narrative about race (George Floyd); and the national stories that led to protests during the past year or two against police
- Most SPD personnel believe that the department is a good place to work, the current Police Chief is good for the department and the community; and personnel appreciates the efforts of the Chief to engage the community in the department's work and promote community policing and community input/solutions to police issues
- The SPD may need to be more intentional in telling its own story about the great things that happen in the department around positive community engagement
- There is a perception held by Black and White staff that the severity for discipline in the department may be dependent on the race of the individual who is being reprimanded, or the age of the individual being reprimanded, or who you may know and have connections with in the department
- Racial and cultural tensions exist within the SPD

Mayor Pro Tem Heggins asked about the assessment regarding issues within the department being politicized. Mr. Ratchford referred to protests downtown and officers seeing elected officials participating. Mayor Pro Tem Heggins noted elected officials were not protesting against the Police Department. Mr. Ratchford described intent versus impact and that the intent of the officials may have been different than the impact it had on officers.

Mr. Ratchford provided an overview of the consultants' recommendations:

- Design and Implement a Diversity, Equity and Inclusion (DEI) Strategic Plan and a corresponding action plan to provide a sense of direction and measurable goals and objectives for the SPD (and the City). This effort should be led by the City's Human Relations Manager
- Increase SPD DEI awareness and knowledge through employee engagement
- After development, completion, and implementation of the SPD DEI Strategic Plan, follow up with efforts on communitywide initiatives
- Community Forums should be created to bring residents together for deliberative community dialogues on tough issues and community concerns about the SPD
- Increase outreach to diverse populations in Salisbury
- Provide diversity, equity and inclusion training to employees of the City of Salisbury and the SPD on a continuous basis
- Use community gate keepers to keep up with the pulse of various community factions

- Provide intercultural training to all SPD staff
- Partner with the local public-school system to create programs in middle and high schools that lead to public safety certifications and police career training
- Conduct a discipline audit of the SPD
- Conduct a demographics audit of the SPD by positions
- SPD Command Team should talk about racial issues with staff

Mayor Pro Tem Heggins asked for clarification of the term “gatekeeper.” Mr. Ratchford explained gatekeepers are people in the community who the Police meet and form relationships with. He noted they encourage the community to cooperate with the Police.

Mr. Ratchford noted Salisbury is experiencing growth in population, jobs, businesses, schools and a changing environment and many of these changes impact the work of the Police Department. He noted the City must move forward with intentional work around diversity, equity, inclusion and justice, along with conflict management and communication because community harmony contributes to the efforts to improve social capital.

Mayor Alexander thanked Mr. Ratchford and Dr. Boyd for their in depth report, and she acknowledged the work that needs to be done and the good work that has already been done.

Councilmember Sheffield thanked the consultants for their report and noted she looks forward to moving forward with the recommendations. She expressed her appreciation for their diligence, candor, and humor.

Councilmember Post asked which recommendation should be addressed first. Mr. Ratchford recommended beginning with those things that can be done quickly. Dr. Boyd noted having a person designated to lead or collaborate on this work is very important.

Mayor Pro Tem Heggins indicated she would like additional information on the Train the Trainor program, and she shared her concerns about the time needed to adequately train staff since this work takes time. She noted she would like to work on ways to also address the deeper systemic issues, and she added she wanted to ensure that something is in place to protect the point person for this work.

Chief Stokes noted he recently brought in a consultant to look at the disciplinary process and policies. He stated he is also working to develop an organizational point person within the department who can work closely with the officers as well as the Human Relations Manager. He added he is also working with the Police Advisory Board to determine ways to tell the success stories of the Police Department.

GOLF CARTS ON PUBLIC STREETS

City Engineer Wendy Brindle presented information regarding permitting golf carts on City streets, which was brought before Council in 2018. She indicated the City received requests specifically from the golf course communities regarding a Golf Cart Ordinance.

Ms. Brindle pointed out there is a general statute that allows the City to establish a Golf Cart Ordinance. She explained the definition of a golf cart compared to low speed vehicles which are not applicable to this request.

Ms. Brindle reviewed information from the North Carolina Department of Transportation (NCDOT) sample golf cart ordinance. She noted things to consider would be whether the City would require golf cart registrations and if the City would allow golf carts by petition requests.

Ms. Brindle displayed a map, and she pointed out golf cart communities located within the City limits. She noted the City could establish an Ordinance to allow golf carts within specific communities. She stated golf carts are not allowed on NCDOT maintained streets.

Mayor Alexander asked if it is possible to approach the request as a test in those communities that have requested the Golf Cart Ordinance to allow Council and staff the opportunity to evaluate the area and the safety concerns. Ms. Brindle noted that could be a possibility.

Mayor Pro Tem Heggins expressed concern regarding keeping golf carts off NCDOT maintained streets, and she asked if signs will be placed for street designations. Ms. Brindle agreed, and she noted Council can determine the Ordinance guidelines. Mayor Pro Tem Heggins then asked for data regarding golf cart related accidents or deaths.

Councilmember Post suggested the Ordinance not allow travel on any roads with a speed limit over 25 mph. He added the golf carts should be registered and have headlights and break lights. He indicated he likes the idea of a petition based Ordinance.

Ms. Brindle commented the intent of the request is to allow golf community residents to ride golf carts to the golf club and throughout the neighborhood. She noted an ordinance could be developed specific to that type of use.

Councilmember Sheffield stated the requests should be by petition, speed limits should be reduced, and the golf carts should be registered and have both front and back lights. She asked how the Ordinance will be enforced. Ms. Brindle stated registration enforcement would be by the Police Department.

Councilmember Sheffield suggested no decision be made and the item be brought back to Council in order to include Councilmember Miller in the conversation.

Ms. Brindle commented she will provide draft Ordinances to Council for its review.

CONTRACT – STS CABLE SERVICES

City Engineer Wendy Brindle presented Council with information regarding the installation of conduit in preparation for the upcoming North Carolina Department of Transportation (NCDOT) resurfacing project. She indicated due to the upgrade there is a need to

update the traffic signal infrastructure to allow left turns from Main Street onto Innes Street. She noted prior to the resurfacing conduit will be installed across Main Street and Innes Street, Main Street and Bank Street, and Main Street at Council Street to allow for signal cable communication fiber in the future. She stated STS Cable Services submitted the lowest bid at \$146,661 plus incidentals.

Ms. Brindle explained the installation of the conduit will begin on Monday, July 26, 2021 and last approximately three weeks, pending weather. She added construction must be completed by September 1, 2021. She indicated the work will take place during the night time hours between 8:00 p.m. and 6:00 a.m. because NCDOT will not allow the City to close the streets during daytime hours.

Councilmember Sheffield expressed her concerns regarding the inconvenience the construction will cause downtown residents.

Mayor Pro Tem Heggins asked if the construction could take less than three weeks. Ms. Brindle agreed, and she added it could also take longer depending on any delays. Mayor Pro Tem Heggins then asked if construction will take place every day. Ms. Brindle noted she is not sure as she was given a general schedule of each location where the work will take place.

Councilmember Post asked if any weekend activities will be interrupted by the construction. Ms. Brindle noted she is unaware of any events.

Mayor Alexander asked if there is ability to negotiate with NCDOT about closing one section of the street during the day. Ms. Brindle commented they were adamant about night time construction and not closing the streets during the day.

Councilmember Post made a **motion** to authorize the City Manager to enter into a contract with STS Cable Services for an estimated amount of \$146,661, plus incidentals approved by the City Engineer, for installation of conduit in preparation for the upcoming North Carolina Department of Transportation resurfacing project. Mayor Alexander, Mayor Pro Tem Heggins and Councilmembers Post and Sheffield voted AYE. (4-0)

CITY ATTORNEY'S REPORT

City Attorney Graham Corriher had nothing to report to Council.

CITY MANAGER'S REPORT

City Manager Lane Bailey had nothing to report to Council.

COUNCIL COMMENTS

Councilmember Sheffield noted the Neighborhood Leaders Alliance met virtually on July 7, 2021. She thanked Rowan County Environmental Management Director Caleb Sinclair and Public Works Sustainability Coordinator Madison Kluge for speaking to the group.

Councilmember Sheffield pointed out Rowan County is at a 37% vaccination rate, and she encouraged residents to get vaccinated.

Councilmember Sheffield thanked staff for the work they do for the City's Zoom and live meetings.

MAYOR PRO TEM COMMENTS

Mayor Pro Tem Heggins thanked staff for its work in facilitating the Council meetings through Zoom and providing information and making sure meetings were available to the public.

Mayor Pro Tem Heggins commented it was difficult for Ms. Cuthbertson to speak about her son's situation. She stated she hoped conversations take place to build stronger relationships between the community and the Police Department. She added the City has great police officers, but there are community members that are still fearful. She pointed out the City is on the right path to correct and restore the issues and she appreciated the work of Police Chief Jerry Stokes, the Police Department and community members to improve those relationships.

Mayor Pro Tem Heggins encouraged members of the community to get the COVID-19 vaccination.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander noted City Manager Lane Bailey has announced his retirement. She thanked Mr. Bailey for his leadership and many contributions to the City. She requested City Clerk Kelly Baker set up a Special Council meeting with Mr. Hartwell Wright from the North Carolina League of Municipalities to review the hiring process for the next City Manager. She added it is important for Council and the community to understand the process and the time that will be needed.

Mayor Pro Tem Heggins asked if candidates for Council will be included in the meeting. Mayor Alexander noted the meeting will be a public meeting and Council candidates are welcome to attend. She commented the meeting will give Council an opportunity to ask questions about the process.

Mayor Alexander thanked everyone who worked to make Council's first in person meeting a success. She encouraged everyone to protect themselves with a COVID-19 vaccine.

(a) Salisbury Neighborhood Action Group (SNAG) Meetings

Mayor Alexander announced the Salisbury Police Department will resume Salisbury Neighborhood Action Group (SNAG) meetings on Wednesday, August 4, 2021 at 10:00 a.m. at the Salisbury Police Department located at 130 East Liberty Street.

(b) 2021 Salisbury Citizen's Academy

Mayor Alexander announced applications are now being accepted for the 2021 Salisbury Citizen's Academy. The academy is a 10-week program that meets each Thursday evening from 5:30 p.m. until 8:30 p.m. beginning September 2, 2021. Participants will meet at various City facilities and have an inside view of City operations. Applications are available online at salisburync.gov/citizensacademy or by calling Kelly Baker at 704-638-5233. All applications must be received by July 30, 2021.

(c) Mayor's Spirit Luncheon

Mayor Alexander announced a virtual Mayor's Spirit Luncheon will be held Monday, August 9, 2021 from 12:00 noon until 1:00 p.m. via the City's Facebook page. This year the Spirit Forum will highlight the "Luminaries" of Salisbury and Rowan County who were the guiding lights for our residents during the pandemic. For more information, please contact Anne Little, Human Relations Manager, at anne.little@salisburync.gov or call (704) 638-5218.

(d) Community Resource Fair

Mayor Alexander announced the annual Community Resource Fair will be held Saturday, Aug. 14, 2021 from 10:00 a.m. until 1:00 p.m. at the Civic Center. The Fair brings together local agencies specializing in health, addiction, education and family support in one place to assist local families during the upcoming school year. For more information, please contact Anne Little, Human Relations Manager, at anne.little@salisburync.gov or call (704) 638-5218.

(e) Transit Service

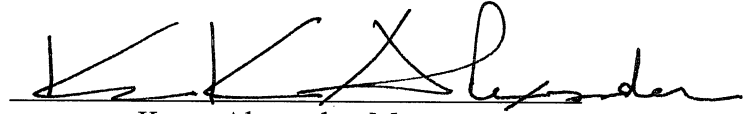
Mayor Alexander announced Salisbury Transit has resumed regular bus service schedules on its ADA paratransit and regular fixed routes. Salisbury Transit will operate Monday through Friday from 6:00 a.m. until 7:15 p.m. Saturday service remains suspended. Fare collection and front door boarding has resumed on all City busses. For more information or to view the bus schedules visit Salisburync.gov/transit.

(f) August Council Meeting

Mayor Alexander announced Council's August 3, 2021 meeting will begin at 3:00 p.m. This change was adopted in the meeting schedule to allow for National Night Out participation. By consensus, Council agreed the August 3, 2021 meeting will begin at 3:00 p.m.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Miller. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 10:08 p.m.


Karen Alexander, Mayor


Kelly Baker, City Clerk