The City is operating under a State of Emergency declaration related to the spread of COVID-19. The City Council meeting will be held electronically to remain consistent with limiting physical interactions and the potential spread of COVID-19, and Council Chambers will be closed. The meeting will be streamed live at salisburync.gov/webcast and on the City’s Twitter account. Anyone who wishes to speak during public comment must sign-up by 5:00 p.m. on August 17, 2021 by contacting Kelly Baker at kbake@salisburync.gov or 704-638-5233.

1. Call to order.
3. Pledge of Allegiance.
4. Adoption of Agenda.

5. Council to consider the CONSENT AGENDA:


   (b) Adopt a budget ORDINANCE amendment to appropriate Water Sewer Fund – Fund Balance in the amount of $36,441.98 and award a contract to Buckeye Bridge, LLC in the amount of $616,441.98 for construction of the Peeler Road Water Main Extension project. Funds were appropriated at the July 20, 2021 meeting based on the project cost estimate, and the developer is funding 50% of the final project cost.

   (c) Approve a right-of-way encroachment by AT&T for the installation of a hand hole and fiber near 127 South Main Street per Section 11-24(27) of the City Code and subject to approval by the North Carolina Department of Transportation.

   (d) Approve a right-of-way encroachment by Spectrum for the installation of directional bored duct on Airport Road per Section 11-24(27) of the City Code and subject to approval by the North Carolina Department of Transportation.

6. Council to receive public comment. Public comment will begin following adoption of the Consent Agenda. For electronic meetings speakers must sign-up before 2:00 p.m. by contacting Kelly Baker at kbake@salisburync.gov or by calling 704-638-5233. Citizens who are unable to speak during the meeting may submit written comments by 5:00 p.m. to the email above and they will be shared with Council.

7. Council to consider accepting a proposal from Atlantic Emergency Solutions in the amount of $1,172,256 for the purchase of a Pierce Fire Rescue Truck. (Presenter – Division Chief Jay Baker)
8. Council to consider adopting a Grant Project **ORDINANCE** establishing the American Rescue Plan Act (ARPA) Special Revenue Fund for funds received from the U.S. Treasury through the Coronavirus State and Local Fiscal Recovery Funds program. *(Presenter – Interim Finance Director Wade Furches)*


11. Council’s Comments.

12. Mayor Pro Tem’s Comments.

13. Mayor’s Announcements and Comments.

14. Council to go into closed session concerning a personnel matter as allowed by NCGS 143-318.11(a)(6).

15. Adjourn.

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


(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 ORDIANCE TEXT AMENDMENT LDOTA-02-2021

Planning Director Hannah Jacobson addressed Council regarding Land Development Ordinance Text Amendment LDOTA-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 25 years
• 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
  o 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 herby 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 indicted 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 ASSESSMENT

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
Salisbury City Council
August 3, 2021

REGULAR MEETING

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

ABSENT: None.

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 3:00 p.m. A moment of silence was taken.

PLEDGE OF ALLEGIANCE

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

RECOGNITION OF VIEWERS

Mayor Alexander welcomed all viewers.

ADOPTION OF THE AGENDA

Thereupon, Mayor Pro Tem Heggins made a motion to adopt the Agenda as presented. Mayor Alexander voted AYE, Mayor Pro Tem voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)
PROCLAMATIONS

Mayor Alexander proclaimed the following observance:

NATIONAL NIGHT OUT August 3, 2021

CONSENT AGENDA

(a) Budget Ordinance Amendment – Salisbury Community Park

Adopt a budget Ordinance amendment to the FY2021-2022 budget in the amount of $8,000 to appropriate a grant to assist with trail design at Salisbury Community Park.

ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE REVENUE FROM ROWAN COUNTY FOR TRAIL DESIGN AT SALISBURY COMMUNITY PARK.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 141, and is known as Ordinance 2021-58.)

(b) Agreement Extension - North Carolina Department of Transportation

Authorize the City Engineer to extend agreements with the North Carolina Department of Transportation regarding maintenance of signs (Schedule A), markings and markers (Schedule B), traffic signals (Schedule C), and the computerized traffic signal system (Schedule D) until June 30, 2022.

Thereupon, Councilmember Sheffield made a motion to adopt the Consent Agenda as presented. Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

There being no one to address Council, Mayor Alexander closed the public comment session.
Development Services Manager Teresa Barringer addressed Council regarding a request to rezone three parcels located at the corner of Mooresville and Rowan Mills Roads from General Residential (GR) and Rural Residential (RR) to GR-3 and establish a new Conditional District (CD) Overlay for the development of a single-family residential subdivision with 236 lots. She noted CD-04-2021 is for Grants Landing. She added the petitioner is Sherwood Development Group, LLC and the representatives are Mr. Justin Mueller, Sherwood Development Group, and Mr. Luke Hanna, Bloc Design, PLLC. She added the property owners are Forest Glen, Inc. and Charles and Grace Steele.

Ms. Barringer explained GR-3 zoning permits single-family residential by right with a maximum of three dwelling units per acre. She stated the proposal before Council is for 1.73 units per acre. She explained the request is to establish a new CD Overlay to allow construction of 236 single family homes and for the voluntary annexation of 77.803 acres abutting Mooresville and Rowan Mill Roads.

Ms. Barringer displayed a map of the area, and she pointed out the site’s location to the Forest Glen subdivision, Mooresville and Rowan Mills Roads, and businesses and churches in the area. She reviewed the proposed annexation map, and she noted the developer is working with City Engineer Wendy Brindle regarding the voluntary annexation. She stated there is no connectivity between Grants Landing and Forest Glen, and there will be two connectivity points to Rowan Mills Road and two inner-lot connectivity points to the adjoining parcel.

Ms. Barringer reviewed the elevation of the proposed homes, and she noted there will be a vegetative buffer between Forest Glen and Grants Landing. She added part of the acreage will be undisturbed due to the flood area and the topography.

Ms. Barringer noted the proposal is consistent with the Comprehensive Plan 2020, Vision 2020 policies N-18 and N 21.

Ms. Barringer indicated the Planning Board held a courtesy hearing July 13, 2021 and voted unanimously to recommend approval as proposed with a motion of consistent with Vision 2020 Comprehensive Plan. She stated a traffic impact analysis was performed for this property and was included in Council’s Agenda Packet. She pointed out the proposed development will be subject to North Carolina Department of Transportation (NCDOT) improvements.

Councilmember Miller referenced the traffic improvement plan, and he asked it there will be right turn in and right turn out lanes on Rowan Mills Road. Ms. Barringer stated there is a right turn lane in and out on Rowan Mills Road and a proposed improvement along Mooresville Road. She added there will be a change to the signal timing at the intersection.

Councilmember Post noted the proposed development will average 1.73 units per acre, and he asked if the 1.73 units per acres includes the undeveloped space. Ms. Barringer agreed. Mr. Post asked about the density in the developed area. Ms. Barringer explained the density is calculated using the total acreage of the parcels. She noted the majority of the lots are 55 feet by
Mr. Post commented the proposed development will bring housing inventory and new customers for the City’s water system.

Mayor Alexander convened a public hearing after due notice regarding Conditional District Overlay CD-04-2021.

Ms. Linda Owen Holshouser stated she owns property on Rowan Mills Road. She added the area is extremely congested and the proposed development will bring additional traffic to the region.

Mr. Rodney Queen indicated City needs modestly priced homes, and he complimented the developer for working with Forest Glen. He asked Council to support the project, and he noted traffic issues exist all over the City and he is hopeful NCDOT will address the traffic issues.

Ms. Rebecca Orndorff noted she lives in Forest Glen and will be impacted by the proposed development. She pointed out negotiations have taken place and the developer has been very receptive to the modification requests. She referred to the natural buffer that is in place and asked if the buffer can be removed in the future. She recognized the traffic issues that exist, and she pointed out flooding takes place at Grant Creek during heavy rains.

Mr. Dave Pokela, attorney for Nexsen/Pruet who represents the Forest Glen Homeowners Association (HOA), addressed Council on behalf of the HOA. He stated the HOA supports the proposed development and the rezoning. He added an agreement was reached between the HOA and the developer regarding the landscape allowance for the buffer areas. He added an agreement was also reached with respect to an easement to maintain the buffer areas and the cul-de-sac. He provided handouts of the agreements to Council.

Ms. Mary Heather Steinman indicated she lives on the back side of Forest Glen and seven to eight of the proposed homes will be facing her property. She shared concerns about the sewer easement. She added she is concerned about flooding and how the proposed housing prices will affect home prices in Forest Glen.

Ms. Nancy Washko, homeowner in Forest Glen near Grants Creek, shared concerns regarding the density of the neighborhood and its impact on both Forest Glen and the environment. She commented the wetlands in the area are fragile, and she is concerned the proposed density will impact the area.

Ms. Tameka Falton noted she lives in the Forest Glen community and her lot is closest to the proposed development. She stated she hopes the Planning Board recommendations, including a 50-foot landscape buffer to create complete visual separation of properties abutting Forest Glen will be included if the proposal is approved by Council.

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

Councilmember Sheffield asked about the impact of the development on Grants Creek. She pointed out the proposal is for a dense development, and she asked about the impact will it
have on the buffer zone. She questioned how Council can be sure the buffer cannot be changed once the parcel is developed.

Ms. Barringer indicated the developer is confident he can obtain the needed easements and understands encroachment into the buffer would require the plan to be brought back before the Planning Board and Council.

Councilmember Sheffield clarified a change to the required buffer would have to come back through the process. Ms. Barringer agreed, and she commented any disturbance in the agreed upon 50-foot buffer would have to come back before the Planning Board and Council. She stated there was discussion about the cul-de-sac which is on the property that the developer will be purchasing. She pointed out the developer agreed to put a fence around that area and also grant an easement for continued use by Forest Glen.

Councilmember Sheffield asked if Grants Landing will have an HOA. Ms. Barringer agreed, and she explained any common area will be owned by the developer. Ms. Sheffield asked who will be responsible for ensuring that this neighborhood will not further compound the problems at Grant’s Creek. Ms. Barringer noted impacts to the stream could result in violations. She explained it is an undisturbed area and cannot be disturbed within 30-feet of the top of bank. She commented anything that causes stormwater issues to other properties or redirects flow is illegal. She explained this is the master plan and staff has not assessed the civil design and review process. She commented the engineering division and stormwater managers will review the plans to determine that the proposed best management practices will catch the runoff which would help mitigate the existing situation.

Ms. Barringer explained when a CD is approved by Council it is vested for two years. She stated if the structure is built it is held to the CD Overlay. She indicated changes cannot be made to an approved CD master plan.

Councilmember Miller indicated concerns about traffic are well founded, but it should not prevent someone who owns a piece of property from developing it. He pointed out the two access points on Rowan Mills Road will address the concern about traffic flow through the Forest Glen neighborhood. He stated the City needs housing at a price point that buyers can afford. He pointed out the traffic concerns can be addressed by turn lanes and additional resources at the intersection.

Mayor Pro Tem Heggins asked when the traffic study will be completed. Ms. Barringer stated the traffic impact analysis study is included in Council’s Agenda Packet. Mr. Mueller explained the traffic study has been sent to state and local NCDOT officials and it recommends a tapered 100-foot turn lane. He stated a turn lane will be added to the intersection of Rowan Mills Road and Highway 150. He noted the developer is planning to install a 75-foot right-turn lane to streamline traffic. He pointed out the easement agreement has been signed and will be deeded to the Forest Glen HOA who will take care of the area.

Mr. George Orndorff asked about traffic on Highway 150. Mr. Mueller explained the traffic impact analysis looked at changing the signals as well as the signalization at Rowan Mills Road. Mayor Pro Tem Heggins pointed out it is a private analysis. Mr. Mueller stated a private
third party consultant was hired to work with NCDOT. He explained the study goes to state NCDOT officials for review.

Ms. Holshouser indicated she spoke to NCDOT who told her the intersection would have to be widened before traffic lights could be installed. Mr. Mueller agreed the recommendation is to widen the road. He explained NCDOT had planned to widen the road, but is passing the cost on to the developer. He noted NCDOT will review the engineering plans for approval and will visit the site during construction. He pointed out additional development will bring additional road improvements.

Mayor Alexander noted improvements made by the developer are bound by NCDOT requirements. Mr. Mueller stated the improvements have to be done in conjunction with the development in order to obtain Certificates of Occupancy in the development. Ms. Barringer explained the City would not be able to accept the final plats until NCDOT requirements have been satisfied.

Councilmember Post pointed out traffic from the community will have one primary entrance and exit point, and he requested clarification regarding the traffic analysis. Mr. Mueller explained the traffic study is based on peak traffic demand, and he commented everyone does not leave at the same time. He pointed out NCDOT has to review and approve the traffic analysis. A project representative stated the traffic study was based on peak hour demand and assumes that drivers will leave at different times.

Councilmember Post noted Planning Board placed conditions on its approval, and he asked if Council’s approval incorporates those conditions. Ms. Barringer agreed, and she noted three conditions were identified and are included under the developer's agreement:

- To provide a 50-foot undisturbed landscape buffer along the perimeter butting Forest Glen
- Sherwood Development Group, LLC to provide a fence along perimeter of the cul-de-sac to be a minimum of five foot tall and maximum of seven foot tall fence to wraparound the cul-de-sac and storm drain easement and gates to be provided as needed
- Subject to NCDOT permitting requirements

Mr. Mueller stated the fence has been changed to an eight foot aluminum fence. He explained the agreement with the Forest Glen HOA requires an eight foot aluminum black fence located within the easement area.

City Attorney Graham Corriher pointed out a private agreement exists between the Forest Glen HOA and Sherwood Development that covers who maintains the easement and the location of the buffer. He clarified Council’s approval will indicate the buffer has to exist in perpetuity, but the parties can determine who will maintain it.

Ms. Barringer stated she will modify the developer's agreement to reflect the eight foot black aluminum fence.
Ms. Falton requested Council make sure the buffer remain undisturbed. Ms. Barringer noted staff can make sure the language is consistent, and she pointed out changes during the seasons may affect with a vegetative buffer. She clarified it is a landscape buffer for visual separation. Mr. Corriher cautioned against adding complete visual separation because it would be difficult to enforce.

Mayor Alexander clarified it is a natural landscaped buffer which may change during winter and fall. Ms. Barringer indicated the developer and the Forest Glen HOA agreed upon additional plantings by the HOA to increase buffering near the denser areas.

Mr. Orndorff requested clarification regarding the landscape buffer. Ms. Barringer explained the buffer will be an undisturbed landscape buffer with additional plantings.

Councilmember Miller stated the City Council herby finds and determines that adoption of an Ordinance to rezone one split-zoned parcel from General Residential (GR-3) and Rural Residential (RR) and two parcels from Rural Residential (RR) to General Residential (GR-3); and establishing a Conditional District (CD) Overlay for the parcels is reasonable and in the public interest. The proposal is fundamentally consistent with the Vision 2020 Comprehensive Policy N-18 and Policy N-21. 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 approximately 136.78 acres by rezoning one split-zoned parcel from General Residential (GR-3) and two parcels zoned Rural Residential (RR) to General Residential (GR-3) establishing a Conditional District Overlay to permit the development of a subdivision for 236 single family homes. Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE AND THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING APPROXIMATELY 136.78 ACRES BY REZONING ONE SPLIT-ZONED PARCEL FROM GENERAL RESIDENTIAL (GR-3) AND TWO PARCELS ZONED RURAL RESIDENTIAL (RR) TO GENERAL RESIDENTIAL (GR-3) ESTABLISHING A CONDITIONAL DISTRICT OVERLAY TO PERMIT THE DEVELOPMENT OF A SUBDIVISION FOR 236 SINGLE FAMILY HOMES.

(The above Ordinance is recorded in full in Ordinance Book No. 29 at Page No. 142-143, and is known as Ordinance 2021-59.)

BOARDS AND COMMISSIONS

Community Appearance Commission

Upon a motion by Councilmember Sheffield. Mayor Alexander, Mayor Pro Tem Heggins, and Councilmembers Miller, Post, and Sheffield voting AYE, the following appointment was made to the Community Appearance Commission to fill an unexpired term:
Mr. James Carli Term Expires 3/31/2024

Housing Advocacy Commission

Upon a motion by Councilmember Sheffield. Mayor Alexander, Mayor Pro Tem Heggins, and Councilmembers Miller, Post, and Sheffield voting AYE, the following appointment was made to the Housing Advocacy Commission to fill an unexpired term:

Ms. Kyna Grubb Term Expires 3/31/2022

CITY ATTORNEY’S REPORT

City Attorney Graham Corriher had nothing to report to Council.

CITY MANAGER’S REPORT

a) Organizational Recruitment and Retention Challenges and Fire Department Concerns.

City Manager Lane Bailey addressed Council regarding compensation and retention issues throughout the City organization. He pointed out firefighters compensation is below market, and added the City is experiencing revenue challenges City-wide.

Mr. Bailey explained the approved budget includes a 2% pay increase for employees that will be effective January 1, 2022. He noted employer 401k contribution increased from 3% to 4%, and he pointed out sworn law enforcement employees receive a 5% 401k contribution. He indicated during the budget work sessions Council decided to appropriate $258,000 for retention and recruitment efforts.

Mr. Bailey referenced vacant Public Works positions, and he noted the City had difficulty recruiting sanitation drivers. He pointed out garbage collection is an essential service. He stated IT is at 29% vacancy, and he commented staff cannot recruit a Network Administrator which is an essential position in the current environment. He indicated caution should be used if additional Fund Balance is appropriated. He suggested conducting a salary study to determine the most efficient use of the appropriated $258,000. He stated the salary study would cost approximately $8,000. He commented there are two firms that conduct salary studies in North Carolina, and the firm he spoke with cannot start until November. He added Salisbury is not the only community facing this challenge.

Human Resources Director Ruth Kennerly noted staff has worked to address recruitment and retention in each department. She agreed a salary study is needed.

Ms. Kennerly noted in 2018, Human Resources staff worked closely with Fire Chief Bob Parnell and Fire Department staff to add certification incentives and monthly stipends:
$40 per month, $480 annually, was added for Rescue Tech position
$25 per month, or $300 annually, for Instructor Level II
$25 per month, or $300 annually, for Fire Inspector Level I
$40 per month, $480 annually, for Fire Inspector Level I
$50 per month, $600 annually, for Fire Officer II
$25 per month, $300 annually, for Fire Officer III

Ms. Kennerly clarified incentives were included to pay firefighters for additional skills. She pointed out the 2018 incentives included additional pay for an Acting Battalion Chief. She reviewed salary adjustments that were made which considered rank, years of service, and education.

Ms. Kennerly noted in 2019, Human Resources staff looked at comparable pay in neighboring cities and starting pay was increased for Fire Control Specialist I and II, Engineer I and II, Lieutenant, Captain, and Battalion Chief. She explained as the City made pay increases other cities did the same to remain competitive. She stated overtime was implemented in every third cycle for firefighters. Mr. Bailey explained the City had not budgeted for the overtime which created challenges for the Fire Department’s budget. He added the salary study would pick up subtleties like this that might otherwise be missed.

Ms. Kennerly pointed out firefighters received an increase in the City’s contribution to their 401k and in January every firefighter will receive a 2% Cost of Living Adjustment (COLA). She stated firefighters do not contribute to Social Security. Mr. Bailey noted he does not believe the firefighter’s situation with Social Security can be fixed because it would require a super majority or possibly a unanimous vote of all 80 firefighters to begin withholding it. He explained to receive benefit from Social Security one has to pay into the system for 40 quarters, which is 10 years. He pointed out there would be no financial incentive for those closer to retirement because they would have Social Security taken out of their paycheck, but would never receive the benefit. He added many of the younger firefighters do not have confidence that Social Security will be available when they are ready to retire.

Mr. Bailey explained staff has considered a 457 Plan for the Fire Department with an employee match which has a better return than Social Security. He pointed out the firefighters would not have the spousal benefit that is offered with Social Security. He commented the decision for the firefighter’s retirement was made in the 1950s. Councilmember Miller asked if the salary study would consider the firefighter’s retirement situation and make a recommendation. Mr. Bailey indicated the salary study could possibly make a recommendation.

Mayor Pro Tem Heggins asked if the salary study would focus on one department or the entire City. Mr. Bailey noted the salary study would consider the entire City. Mayor Pro Tem Heggins pointed out pay increases were given to the Police Department and Public Works. Mr. Bailey explained Human Resources and Finance staff conducted spot studies to determine where the greatest challenges were. He stated the initial pay increases were driven by the number of vacancies in the departments. He explained there are 88 positions in the Fire Department and zero vacancies. He explained there are other areas where the City is having trouble recruiting and that is why something different was done for the Police Department and Public Works.
Mr. Bailey stated a salary study is needed to determine the best way to use the budgeted $258,000. He noted he will be retired when Council works on next year’s budget, and he does not want to leave the incoming City Manager with a problem.

Councilmember Miller asked if Mr. Bailey can conduct the salary study without Council’s approval. Mr. Bailey agreed. He commented he wanted to provide an update to Council, and he pointed out recruitment will continue to be a challenge. Mr. Miller stated having the input of a third party expert would be appreciated by the next Council. He added he supports the salary study.

Mr. Bailey indicated he and Interim Finance Director Wade Furches met with the Rowan County Tax Assessor and the Tax Administrator regarding concerns mentioned during the budget process. He pointed out development in the City has not been reflected in the tax base and during the revaluation the City should see an increase.

Councilmember Miller asked about the next property tax revaluation. Mr. Furches noted the next revaluation will take place in 2023. Mr. Miller pointed out in seven years the City will have significant relief relative to the Fibrant debt. He commented if Council must make salary investments in its workforce by using Fund Balance it should. He clarified approximately $.10 on the property tax rate will come off once the Fibrant debt is retired which will improve Fund Balance.

Mayor Pro Tem Heggins stated police officers and firefighters stand in the gap for community residents, and she wants to make sure their needs are addressed. Councilmember Miller stated the salary study may take some time, but it will provide a broader perspective since the consultants will have an understanding of municipalities across the state. Mayor Pro Tem Heggins stated she wants to make sure the City is on the right track, and she does not want to lose firefighters.

Councilmember Sheffield noted staff is looking at the situation and working to move forward and become an employer of choice. She added a salary study will provide guidance. She commented if employees enjoy their work environment and know a 2% raise is coming she is hopeful they will remain with the City.

b) Resolution accepting American Rescue Plan Funds.

City Manager Lane Bailey requested Council consider the first step in the process to accept American Rescue Plan (ARP) funds. He stated the City’s allocation of ARP funds is $7,227,329, and he noted the City will receive its first half of the allocation of $3,613,664. He added the Final Ruling has not yet been issued on how these funds can be used, and he commented staff is hoping to have guidance by September. He added staff has worked on recommendations to bring before Council, and he pointed out the funds will not be spent without Council’s approval.

Mr. Bailey suggested possible uses could include bonus pay for employees that worked through COVID-19. He indicated the County did something similar where they classified all employees as essential and gave $2,000 bonuses for employees.
Mr. Bailey stated staff is considering incentive bonuses for vaccinated employees to try to encourage vaccination and also looking to extend COVID-19 leave. He pointed out other possible uses of the ARP funds are infrastructure projects, stormwater projects, and water and sewer projects.

Mr. Bailey noted Council has asked if the ARP funds can be used to pay down the broadband debt. He added the money cannot be used for this purpose, but the City could possibly use it to cover the drop costs for the utility.

Mr. Bailey explained the first step is to adopt a Resolution accepting the funds. Mayor Pro Tem Heggins asked about the City’s percentage of vaccinated employees. Mr. Bailey noted accurate data is not available at this time. He stated he has authorized three annual leave days if employees submit a copy of their vaccination card and if the City offers employees a bonus it should produce good results.

Mayor Pro Tem Heggins asked if the exact amount the City is receiving can be included in the proposed Resolution. She also requested CFR, Code of Federal Regulation, be defined in the document.

Thereupon, Mayor Pro Tem Heggins made a motion to adopt noted Resolution for accepting American Rescue Plan Act Funds with the two amendments. Mayor Alexander voted AYE, Mayor Pro Tem Heggins voted AYE, Councilmember Miller voted AYE, Councilmember Post voted AYE, and Councilmember Sheffield voted AYE. (5-0)

RESOLUTION FOR ACCEPTING AMERICAN RESCUE PLAN ACT FUNDS.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 21, and is known as Resolution 2021-19.)

(c) COVID-19 Update

City Manager Lane Bailey provided an update to Council regarding COVID-19. He stated in 2020 emergency paid sick leave was extended to employees who were dealing with the virus. He noted one month ago there were no employees out of work due to COVID-19. He stated in July the number increased to 14 and the City may be on track to surpass that number in August. He explained the City has reinstated its face mask policy inside City buildings and is returning to Zoom meetings.

Mr. Bailey explained there was discussion regarding whether Council wanted to return to Zoom meetings or continue in person. He added staff is following CDC recommendations and trying to encourage employees to get vaccinated.

Mr. Bailey asked Council if it would like to continue meeting in person or go back to Zoom. He pointed out the distance between seats has been increased from two feet to six feet and 22 seats are available for the public.
Councilmember Miller stated if the City is dealing with a spike in COVID-19 cases the situation needs to be addressed, and he noted Zoom meetings have worked in the past.

Councilmember Post agreed with Councilmember Miller, and he pointed out Rowan County has one of the lowest vaccination rates in North Carolina.

Mayor Pro Tem Heggins stated she support returning to Zoom Council meetings.

Councilmember Sheffield noted a lot of work was accomplished in 2020, and she thanked staff for all it did to support Council during the Zoom meetings.

By consensus, Council agreed to return to Zoom Council meetings.

COUNCIL COMMENTS

Councilmember Sheffield stated she wants the City to be an employer of choice and take care of its employees. She added she knows 2020 has been challenging, and she thanked employees for all they do to make the City great.

Councilmember Sheffield thanked Mayor Alexander for issuing a proclamation for Mr. Robert Jones who retired from the Rowan County Public Library. She noted Mr. Jones had a generational impact on citizens, and he will be missed.

Councilmember Sheffield explained Council adopted a Resolution in 2019 regarding lynchings that took place in Salisbury. She referred to upcoming events for the placement of a marker in remembrance of the lynchings, and she asked citizens to wear their masks and be safe when attending.

Councilmember Post recognized the recent loss of Mr. Ron Turbyfill and Ms. Nancy Stanback.

MAYOR PRO TEM COMMENTS

Mayor Pro Tem Heggins expressed her condolences to the Turbyfill and Stanback families.

Mayor Pro Tem Heggins thanked the Actions in Faith and Justice Committee for its work to bring the marker to Salisbury from the Equal Justice Initiative (EJI). She added she is looking forward to the Mayor’s Spirit Luncheon.
MAYOR’S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander noted the losses in community of luminaries and the tremendous impact they had on the City.

Mayor Alexander recognized the Action in Faith and Justice Committee for its work in the community.

(a) 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.

(b) 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.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Post. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 5:13 p.m.

______________________________
Karen Alexander, Mayor

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

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

Requested Council Meeting Date: August 17, 2021

Name of Group(s) or Individual(s) Making Request: Salisbury-Rowan Utilities

Name of Presenter(s): Jason Wilson

Requested Agenda Item: Peeler Road Water Main Extension

Description of Requested Agenda Item: Salisbury-Rowan Utilities (SRU) opened five (5) sealed bids on August 5, 2021 from qualified vendors for the Peeler Road Water Main Extension project. Buckeye Bridge, LLC submitted the lowest base bid in the amount of $616,441.98. As such, SRU recommends awarding a contract to Buckeye Bridge, LLC in the amount of $616,441.98 for construction of the Peeler Road Water Main Extension project. Attached is the bid tabulation.

At the July 20, 2021 City Council meeting, a budget ordinance amendment was adopted to appropriate Fund Balance from the Water Sewer Fund in the amount of $290,000 and a revenue appropriation of $290,000 based on the estimated cost of $580,000 for construction. Per the executed Agreement and after construction has been completed, the Developer is responsible for reimbursement to SRU of 50% of the total project cost that exceeds the project cost estimate.

Attachments:  □ Yes  □ No

Fiscal Note: Developer contribution of $290,000 was previously appropriated. Water Sewer Fund – Fund Balance appropriation of $290,000 was previously authorized. An additional $36,441.98 fund balance appropriation will be required based on the low bid amount of $616,441.98.

Action Requested of Council for Agenda Item: Council to consider the approval of an ordinance to appropriate Water Sewer Fund – Fund Balance of $36,441.98 for the construction of the Peeler Road Water Main Extension project.

Council to consider awarding a contract to Buckeye Bridge, LLC for construction of the Peeler Road Water Main Extension project in the amount of $616,441.98.

Contact Information for Group or Individual: Jason Wilson, Assistant Utilities Director
704-216-7553, jason.wilson@salisburync.gov

❖ Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

□ Regular Agenda (item to be discussed and possibly voted on by Council)
Salisbury City Council
Agenda Item Request Form

FINANCE DEPARTMENT INFORMATION:

S. Wade
Finance Manager Signature

Rebecca
Budget Manager Signature

Jason H. Wilson
Department Head Signature

****All agenda items must be submitted at least 7 days before the requested Council meeting date****

For Use in Clerk’s Office Only

☐ Approved ☐ Delayed ☐ Declined

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Completion Date: December 30, 2021

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AN ORDINANCE AMENDING THE 2021-22 BUDGET ORDINANCE
OF THE CITY OF SALISBURY, NORTH CAROLINA TO
APPROPRIATE FUNDS FOR WATER MAIN EXTENSION

Be it ordained by the City Council of the City of Salisbury, North Carolina, as follows:

Section 1. The City previously appropriated funds for a water main extension for Pilot Travel Center. In order to cover costs estimates from the lowest responsible, responsive bidder, the City needs to appropriate additional Fund Balance for this project.

Section 2. That the 2021-22 Budget Ordinance of the City of Salisbury, adopted on June 15, 2021 is hereby amended as follows:

(a) That the following General Fund line items be amended as follows:

(1) Increase line item 030-000-000-4999.00 Appropriated Fund Balance $36,442

(2) Increase line item 030-813-859-5791.10 Water Line Extension $36,442

Section 3. That all ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. That this ordinance shall be effective from and after its passage.
Salisbury City Council
Agenda Item Request Form

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

Requested Council Meeting Date:  August 17, 2021

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

Name of Presenter(s):  Dana Ruth, Engineer

Requested Agenda Item:  Request from AT&T for encroachment into City Rights-of-Way

Description of Requested Agenda Item:  AT&T requests approval of installation of a hand hole and 174’ fiber within existing duct within the Right-of-Way near 127 S. Main Street. City Council approval of encroachments is required by Section 11-24 (27) of the City Code. NCDOT must approve encroachments along state maintained roads.

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

- All improvements and restoration shall be made at no expense to the City.
- A pre-construction meeting will be required prior to construction.
- On-site inspection will be required during all critical street crossings.
- Any markers for underground facilities shall be flush with the ground.
- Separate encroachment approval must be obtained from NC Department of Transportation for work within NCDOT right-of-ways.
- All work shall be done at night after business hours.
- Lane closures shall be coordinated through Engineering.
- AT&T shall participate with the State’s one-call locating program, and appropriate locater tape shall be installed to facilitate future field location.
- Engineering “as-built” plans shall be maintained by AT&T and made available to the City upon request.
- If the City (or State) makes an improvement to the public Right-of-Way, AT&T facilities shall be adjusted or relocated at no expense to the City (or State).

Attachments:  ☑ Yes  □ No

Fiscal Note:  (If fiscal note requires approval by finance department because item exceeds $100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

There is no budgetary impact on this item.

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

Contact Information for Group or Individual:  Dana Ruth – 704-638-5216
Salisbury City Council
Agenda Item Request Form

☒ Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

☐ Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

__________________________________________  _______________________________________
Finance Manager Signature                    Department Head Signature

__________________________________________
Budget Manager Signature

****All agenda items must be submitted at least 7 days before the requested Council meeting date***

For Use in Clerk’s Office Only

☐ Approved  ☐ Delayed  ☐ Declined

Reason:
Salisbury City Council
Agenda Item Request Form

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

Requested Council Meeting Date: August 17, 2021

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

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

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

Description of Requested Agenda Item: Spectrum requests approval of installation of directional bored duct and direct bury within the City Right-of-Way on Airport Road. City Council approval of encroachments is required by Section 11-24 (27) of the City Code.

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

- A preconstruction meeting is required.
- All improvements and restoration shall be made at no expense to the City.
- Any markers for underground facilities shall be flush with the ground.
- Lane closures shall be coordinated through Engineering.
- Spectrum shall participate with the State’s one-call locating program, and appropriate locater tape shall be installed to facilitate future field location.
- Proper utility offset must be adhered to with the sewer line.
- Water Line MUST be spotted for location and depth prior to making the bore.
- Separate encroachment approval must be obtained from NC Department of Transportation for work within NCDOT right-of-ways.
- A $5k bond will be required prior to construction within the City right-of-way.
- Engineering “as-built” plans shall be maintained by Spectrum and made available to the City upon request.
- If the City (or State) makes an improvement to the public Right-of-Way, Spectrum facilities shall be adjusted or relocated at no expense to the City (or State).

Attachments: ☒ Yes ☐ No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds $100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

There is no budgetary impact on this item.

Action Requested of Council for Agenda Item: City Council to consider approval of a right-of-way encroachment by Spectrum on Airport Road per Section 11-24 (27) of the City Code. Subject to NCDOT approval.
Salisbury City Council
Agenda Item Request Form

Contact Information for Group or Individual: Wendy Brindle – 704-638-5201

☒ Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)
☐ Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

***All agenda items must be submitted at least 7 days before the requested Council meeting date***

For Use in Clerk’s Office Only

☐ Approved ☐ Delayed ☐ Declined

Reason:
July 2, 2021

Please find enclosed a CATV base map along with the attached typically to be in order.

The location is approx. 375’ or .063 miles SE of National Guard Rd (SR-1625) starting at pole #NT working along & across Airport Rd to end at 500 Airport Rd in Rowan County. The enclosed CATV base map can be used as a reference in locating the area in which Spectrum will be working. This will be to place 333’ or .063 miles of underground CATV facilities on NCDOT ROW. There is (1) conventional bore on this project.

Will comply with the MUTCD.

Should you have any questions or concerns, please contact me at (704) 378-2851.

Thank you for your attention to this matter.

Sincerely,

Tim Burris

Tim Burris
Spectrum Southeast, LLC
Construction Manager

Approval: ______________________
Division Engineer: ______________
District Engineer: ______________
SCOPE OF WORK

LOCATION: 500 Airport Rd Salisbury NC 28147

PURPOSE: TO PROVIDE TENANT ACCESS TO SPECTRUM BUSINESS PRODUCTS AND SERVICES

This document outlines the basic scope of work as we intend to install Spectrum Business service to 500 Airport Rd. The overall project will consist of the installation of fiber to the building. The services will be brought to the building through new conduit as shown on attached map. It is our intention to install this system in accordance with any and all applicable codes and regulations.
Requested Council Meeting Date: August 17, 2021

Name of Group(s) or Individual(s) Making Request: Chief Parnell, Fire Chief

Name of Presenter(s): Division Chief Baker

Requested Agenda Item: Council to approve proposal from Atlantic Emergency Solutions to lock in on a new Pierce Rescue truck.

Description of Requested Agenda Item: Council if requested would receive information on a proposal of $1,172,256 from Atlantic Emergency Solutions to lock-in on this quote to begin the purchase process. We have thirty days to lock-in on this and it is dated July 26, 2021. This will be an addition to the fire department fleet and is a budgeted item. As stated in the proposal the build time is 13.5-14.5 months after the receipt of and acceptance of this order. Finance will follow up in the future regarding request for proposals regarding financing of the apparatus.

Attachments: ☒ Yes  ☐ No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds $100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

The FY22 budget includes $1,179,461 for a new rescue engine. If there are additional costs incurred, the City will appropriate those costs with the FY23 budget.

Action Requested of Council for Agenda Item: Council to consider accepting the proposal of $1,172,256 from Atlantic Emergency Solutions for the purchase of a fire truck.

Contact Information for Group or Individual: Fire Chief Bob Parnell, Interim Finance Director Wade Furches

☐ Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

☒ Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

S. Wade Furches

Finance Manager Signature

Department Head Signature

Budget Manager Signature

****All agenda items must be submitted at least 7 days before the requested Council meeting date****
PROPOSAL FOR FURNISHING FIRE APPARATUS

DATE: 07/26/21

Salisbury Fire Department
514 E Innis St.
Salisbury, NC 28144

The undersigned is prepared to manufacture for you, upon an order being placed by you, for final acceptance by Atlantic Emergency Solutions, Inc, at its home office in Manassas, Virginia, the apparatus and equipment herein named and for the following prices:

One (1) Pierce Enforcer PUC Rescue $1,172,256.00

IF the customer utilizes a 100% Prepay* then deduct ($32,279). Payment due within 30 days* IF a prepay is utilized then a Performance Bond will be issued.

This apparatus will be purchased utilizing HGAC

Total $1,172,256.00

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war or intentional conflict, failures to obtain chassis, materials, or other causes beyond our control not preventing, within about 13.5-14.5 months after receipt of this order and the acceptance thereof at our Atlantic Emergency Solutions, Inc. office at Manassas, Virginia, and to be delivered to you at Pierce Mfg./Atlantic Emergency Solutions – Charlotte, NC

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are interlined prior to the acceptance by the company of the order to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

The proposal for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at this time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications. Any increased costs incurred by first party because of future changes in or additions to said DOT or NFPA standards will be passed along to the customers as an addition to the price set forth above.

Unless accepted within 30 days from date, the right is reserved to withdraw this proposition.

Atlantic Emergency Solutions Inc.

By: Brian Hall
AUTHORIZED SALES REPRESENTATIVE
Brian W. Hall, Regional Account Manager
Salisbury City Council
Agenda Item Request Form

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

Requested Council Meeting Date: August 17, 2021

Name of Group(s) or Individual(s) Making Request: S. Wade Furches, Interim Finance Director

Name of Presenter(s): S. Wade Furches, Interim Finance Director

Requested Agenda Item: Creation of Special Revenue Fund and Appropriation of award through the American Rescue Plan Act

Description of Requested Agenda Item: The City of Salisbury was awarded $7,227,329 in Coronavirus State and Local Fiscal Recovery Funds (CSLRF) through the American Rescue Plan. On August 2, 2021, City Council formally accepted those funds, and on August 9, 2021, the City received its first tranche in the amount of $3,613,664.50. The State Treasurer recommends the use of a Special Revenue Fund funded with a Grant Project Ordinance. I have attached a Grant Project Ordinance that effectively creates the new Fund and appropriates the grant.

Attachments: ☒ Yes ☐ No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds $100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

The City expects to receive $7,227,239 in CSLRF funds. There is no required City match. All expenditures associated with these funds will be 100% federal funded.

Action Requested of Council for Agenda Item: Council to adopt a Grant Project ORDINANCE establishing the American Rescue Plan Act (ARPA) Special Revenue Fund for funds received from the U.S. Treasury through the Coronavirus State and Local Fiscal Recovery Funds program.

Contact Information for Group or Individual:

☐ Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

☒ Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

S. Wade Furches
Finance Manager Signature

S. Wade Furches
Department Head Signature

Edward Ballard
Budget Manager Signature
****All agenda items must be submitted at least 7 days before the requested Council meeting date****

For Use in Mayor’s Office Only

☐ Approved
☐ Declined

Reason:
GRANT PROJECT ORDINANCE FOR THE CITY OF SALISBURY
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF). The City of Salisbury has received the first tranche in the amount of $3,613,664.50 of CSLRF funds. The total allocation is $7,227,329, with the remainder to be distributed to the city within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The following amounts are appropriated for the project and authorized for expenditure:

| Increase line item 058-000-000-545000 | CSLRF Expenditures | $7,227,329 |

Section 3: The following revenues are anticipated to be available to complete the project:

| Increase line item 058-000-000-443000 | CSLRF Revenues | $7,227,329 |

Section 4: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements.

Section 5: The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section 6: This grant project ordinance expires on December 31, 2026, or when all the CSLRF funds have been obligated and expended by the town, whichever occurs sooner.