

Salisbury, North Carolina
March 6, 2012

REGULAR MEETING

PRESENT: Mayor Paul B. Woodson Jr., Presiding; Mayor Pro Tem Susan W. Kluttz, Council Members Maggie A. Blackwell, William (Pete) Kennedy, and, William Brian Miller; Interim City Manager Doug Paris; City Clerk Myra B. Heard; and City Attorney F. Rivers Lawther, Jr.

ABSENT: None

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Woodson at 4:00 p.m. The invocation was given by Councilmember Miller.

PLEDGE OF ALLEGIANCE

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

RECOGNITION OF VISITORS

Mayor Woodson welcomed all visitors present.

ADDITIONS/DELETIONS TO THE AGENDA

Postpone – Item 5 – Council to recognize Salisbury High School Student William Brown.

RECOGNITION – SALISBURY HIGH SCHOOL STUDENT WILLIAM BROWN

This Item was postponed.

PROCLAMATIONS

Mayor to proclaim the following observances:

GIRL SCOUTS APPRECIATION DAY

March 12, 2012

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Special Meeting of February 9-10, 2012, the Regular Meeting of February 21, 2012, and the Recessed Meeting of February 23, 2012.

Thereupon, Ms. Kluttz made a **motion** to adopt the Consent Agenda as presented. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

GENERAL OBLIGATION AND COMBINED ENTERPRISE SYSTEM REVENUE BONDS

(a) Assistant City Manager John Sofley addressed Council regarding a refunding of General Obligation and Combined Enterprise System Revenue Bonds. He explained interest rates for government debt has fallen, and staff has worked with Financial Advisors to evaluate the City's outstanding debt to determine if the City could benefit from refinancing. He stated last year the City refinanced some of its eligible debt, and he noted staff identified three additional issues that will save the City substantial money.

Mr. Sofley noted, after consulting with the Local Government Commission (LGC), staff recommends refinancing through a negotiated sale in order to lock in the rate. He explained last year the City used a public sale instead of a negotiated sale, and once the sale took place some of the potential savings were lost because the rate had risen. He noted the decision was made to lock in the savings rather than risk a rise in the market rate.

Mr. Sofley pointed out there are two issues to be refunded: Parks and Recreation Facility, Series 1997; and General Obligation Water Bond, Series 1998. He stated the City received a flat rate of 1.635 percent for each of the terms from SunTrust Leasing Corporation, and he noted the rate was lower than anticipated.

Mr. Sofley explained for the Combined Enterprise Revenue Bond, Series 2007, the City received a quote of 2.42 percent from SunTrust Bank. He noted for the General Fund issued Parks and Recreation Facilities Bond, the City will save \$43,250 over the life of the Bond. He stated refunding the Enterprise System Revenue Bond and the General Obligation Water Bond will result in a savings of \$851,163, and he indicated the savings are guaranteed with fixed rates good through the projected closing date.

Mr. Sofley presented a Resolution to Council for the General Obligation Bond and an Order to authorize the issues. He explained once Council has taken action, staff will submit a formal application to the LGC to start the process.

Mayor Woodson stated he is delighted with the approximately \$900,000 savings. Mr. Sofley noted the savings is over the life of the loan and not one year, but still a substantial savings for the City.

Councilmember Miller explained he asked Mr. Sofley to verify the refinancing will not extend the maturity of the life of the loans. He stated Mr. Sofley confirmed the refinancing will not extend the life of the bond, and he noted this is good on many levels. He thanked Mr. Sofley for his work on the project.

Mayor Pro Tem Kluttz congratulated Mr. Sofley, Interim City Manager Doug Paris and City staff for their hard work. She added the savings is incredible, and Council is very grateful.

(b) Mayor Woodson asked for a motion to adopt a Resolution making certain findings relating to the authorization and issuance of General Obligation Refunding Bonds of the City of Salisbury, North Carolina and authorizing the Assistant City Manager to file application for approval thereof with the Local Government Commission.

Thereupon, Mr. Kennedy so **moved**. Ms. Kluttz seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

RESOLUTION MAKING CERTAIN FINDING RELATING TO THE AUTHORIZATION AND ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF SALISBURY, NORTH CAROLINA AND AUTHORIZING THE ASSISTANT CITY MANAGER TO FILE APPLICATION FOR APPROVAL THEREOF WITH LOCAL GOVERNMENT COMMISSION.

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 3-6, and is known as Resolution 2012-03.)

(c) Thereupon, Mr. Kennedy made a **motion** to adopt an Order authorizing \$2,250,000 Refunding Bonds. Ms. Blackwell seconded the motion.

Mr. Sofley filed a Statement of Debt with City Clerk Myra Heard. Ms. Heard confirmed Mr. Sofley filed the Statement of Debt for the City of Salisbury.

Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

(d) Thereupon, Mr. Kennedy made a **motion** to adopt a Resolution relating to the authorization and issuance of a Combined Enterprise System Revenue Refunding Bond, Series 2012 of the City of Salisbury, North Carolina. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

RESOLUTION RELATING TO THE AUTHORIZATION AND ISSUANCE OF A COMBINED ENTERPRISE SYSTEM REVENUE REFUNDING BOND, SERIES 2012 OF THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 7-8, and is known as Resolution 2012-04.)

FIRST READING - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR TAXI OWNERS

Police Chief Rory Collins addressed Council regarding a Certificate of Public Convenience and Necessity for Taxi Owners for Mr. Dawud Ziyad, doing business as Safety Taxi, Incorporated. He noted Mr. Ziyad made a request to the Police Department to obtain ownership of a taxi operating under the umbrella of Safety Taxi, Inc.

Chief Collins stated the Police Department conducted an investigation regarding Mr. Ziyad's experience, his ability to maintain a sound financial business, and a vehicle and rate inspection. He concluded the vehicle was fully operational and meets the requirements to be used safely as a taxi vehicle. He stated Mr. Ziyad's financial standing is sound. He noted Mr. Ziyad has several years experience operating a taxi, and the intended rates are within normal parameters for Safety Taxi. He indicated Safety Taxi has been a positive entity for the City and based on its standards and expectations for operators, the Police Department is comfortable with issuance of the certificate to Mr. Ziyad.

Mayor Woodson thanked Chief Collins for the report and wished Mr. Ziyad the best in his new business.

Thereupon, Ms. Blackwell made a **motion** to approve the first reading for a Certificate of Public Convenience and Necessity for Taxi Owners for Dawud Ziyad, DBA as Safety Taxi, Incorporated. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

PHASE I LINCOLN PARK POOL

Parks and Recreation Director Gail Elder White addressed Council regarding its goal to renovate Lincoln Park Pool. She stated in 2009 staff received extensive community input regarding a plan to renovate the Lincoln Park Pool.

Ms. Elder White noted the plan calls for four phases, and she reviewed Phase I:

- Original Phase I Renovation Plan
 - Estimated costs \$185,000
 - Available funds:
 - \$45,000 City Funds
 - \$42,000 Railroad Funds
 - \$87,000 Total

Ms. Elder White explained in an effort to raise the remaining funds, staff applied to the Robertson Foundation for a grant, but the grant request was not funded. She stated staff began working on an alternate plan using the available \$87,000. She explained the alternate plan-Plan B:

- Plan B Renovation Plan
 - Splash Pad installation \$70,000
 - Deck replacement, Americans with Disabilities Act (ADA) lift installed, new skimmers installed and bathhouse updated with remaining funds

Ms. Elder White indicated the Street Department removed the old deck, and staff has repaired and replaced the skimmers in the pool. She displayed a drawing of Plan B with the new splash pad, and noted the splash pad is 30 feet in diameter with seven spray features. She explained the splash pad is equipped with an activator and is located inside the existing fence. She indicated a large cost of the original plan was to move the fencing and pour extra concrete. She stated the renovations will be completed for the pool's June 2012 opening.

Councilmember Blackwell asked if the renovations will include seating for parents. Ms. Elder White replied the splash pad will include several benches for parents.

Councilmember Miller commended Ms. Elder White and staff for finding a way to complete the renovations with existing funds. He asked if the proximity to the building will cause any issues. Ms. Elder White replied the location will not cause any problems.

Mayor Pro Tem Klutz asked if the pool will continue to be operational. Ms. Elder White stated the pool will be improved and operational.

Councilmember Kennedy noted the City has plans for a larger pool at the Civic Center once funds are available.

Ms. Elder White replied the replacement plan for this pool is a four phase process:

- Phase I calls for the addition of new amenities to the existing facility
- Phase II includes the addition of an aquatic facility at the Civic Center
- Phase III calls for additional splash pads and making the current Lincoln Park Pool a splash pad location
- Phase IV converts the existing pool into the park and works with the Dixonville Cemetery Plan.

Mr. Kennedy stated Ms. Elder White has done an excellent job using available City funds.

Ms. Blackwell indicated she is pleased the aquatic facility at the Civic Center is planned after the traffic study on South Long Street, because it will result in a safer street crossing for citizens.

Mayor Woodson stated the children will enjoy the splash pool this summer. He thanked Ms. Elder White for making sure the pool will open by its scheduled dated.

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

Mayor Woodson asked Mayor Pro Tem Susan Kluttz to lead the Boards and Commissions Appointments.

Human Relations Council

Upon a motion by Ms. Kluttz, seconded by Mr. Kennedy, and with Messrs. Kennedy, Miller and Woodson and Mses. Blackwell and Kluttz voting AYE, the following re-appointments were made to the Human Relations Council:

Mr. Michael Clawson
Dr. Mitchell Siegel

Term Expires 3/31/15
Term Expires 3/31/15

Hurley Park Advisory Board

Upon a motion by Ms. Kluttz, seconded by Mr. Kennedy, and with Messrs. Kennedy, Miller and Woodson and Mses. Blackwell and Kluttz voting AYE, the following re-appointment was made to the Hurley Park Advisory Board:

Ms. Beth Woodson

Term Expires 3/31/15

Upon a motion by Ms. Kluttz, seconded by Mr. Kennedy, and with Messrs. Kennedy, Miller and Woodson and Mses. Blackwell and Kluttz voting AYE, the following appointment was made to the Hurley Park Advisory Board:

Ms. Laura Thompson

Term Expires 3/31/15

Parks and Recreation Advisory Board

Upon a motion by Ms. Kluttz, seconded by Mr. Kennedy, and with Messrs. Kennedy, Miller and Woodson and Mses. Blackwell and Kluttz voting AYE, the following re-appointment was made to the Parks and Recreation Advisory Board:

Ms. Vincia Benjamin

Term Expires 3/31/15

Planning Board

Upon a **motion** by Ms. Kluttz, seconded by Mr. Kennedy, and with Messrs. Kennedy, Miller, Woodson and Mses. Blackwell and Kluttz voting AYE, the following re-appointments were made to the Planning Board:

Ms. Karen Alexander

Term expires 3/31/15

Dr. Herman J. Felton, Jr.

Term expires 3/31/15

Upon a **motion** by Ms. Blackwell, seconded by Ms. Kluttz, and with Messrs. Kennedy, Miller, Woodson and Mses. Blackwell and Kluttz voting AYE, the following appointment was made to the Planning Board for an Extra Territorial Jurisdiction (ETJ) position:

Mr. Josh Canup

Term Expires 3/31/15

Transportation Advisory Board

Upon a **motion** by Mr. Kennedy, seconded by Ms. Blackwell, and with Messrs. Kennedy, Miller, Woodson and Mses. Blackwell and Kluttz voting AYE, the following re-appointments were made to the Transportation Advisory Board:

Mr. Phil Conrad

Term expires 3/31/15

Mr. Preston Mitchell

Term expires 3/31/15

Mr. Gary Price

Term expires 3/31/15

Ms. Laura Schmidt

Term expires 3/31/15

Tree Board

Upon a **motion** by Mr. Kennedy, seconded by Ms. Blackwell, and with Messrs. Kennedy, Miller, Woodson and Mses. Blackwell and Kluttz voting AYE, the following re-appointments were made to the Tree Board:

Mr. Rick Lewis

Term expires 3/31/15

Ms. Gretta Saunders

Term expires 3/31/15

Zoning Board of Adjustment

Upon a **motion** by Ms. Kluttz, seconded by Mr. Kennedy, and with Messrs. Kennedy, Miller, Woodson and Mses. Blackwell and Kluttz voting AYE, the following appointment was made to the Zoning Board of Adjustment:

Mr. Scott Walker

Term Expires 3/31/15

INTERIM CITY MANAGER'S COMMENTS

(a) Temporary Street Closure - South Main Street

Police Chief Rory Collins addressed Council regarding a temporary street closure Wednesday, March 7, 2012 from 8:00 a.m. until 12:30 p.m. for the annual Memorial service to honor Firefighters Victor Isler and Justin Monroe, who lost their lives in the line of duty. He requested South Main Street be closed from the intersection of Old South Main Street to "A" Avenue, and he asked for consent to close South Main Street from the intersection of Old South Main Street to Klumac Road if needed.

Thereupon, Mr. Kennedy made a **motion** to close South Main Street from Johnson Street to "A" Avenue Wednesday, March 7, 2012 from 8:00 a.m. until 12:30 a.m. for the Memorial Service to honor Firefighters Victor Isler and Justin Monroe. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

MAYOR'S ANNOUNCEMENTS

(a) Boards and Commissions

Mayor Woodson announced the City of Salisbury is seeking citizens who have an interest in serving on one of the City's Boards and Commissions. Information regarding the Boards and Commissions and applications are available online at www.salisburync.gov under the Boards and Commissions tab. Applications are also available at the City Clerk's Office located at 217 South Main Street, or by calling 704-638-5224.

(b) Memorial Service

Mayor Woodson announced a Memorial Service honoring fallen Firefighters Victor Isler and Justin Monroe will be held Wednesday, March 7, 2012 at 8:30 a.m. The Memorial will take place at the Salisbury Firefighters Memorial located on 1400 Block of South Main Street. The public is invited to attend.

(c) New City Manager

Mayor Woodson announced approximately two months ago, Council began reviewing applicants for the City Manager position. He explained Council spent many hours reviewing resumes, interviewing potential candidates, and it narrowed the field of 70 applicants to two. He noted the Council unanimously agreed Mr. Doug Paris is the best candidate for City Manager. He congratulated Mr. Paris and asked for a motion to appoint Mr. Paris as the next City Manager for the City of Salisbury.

Thereupon, Ms. Kluttz made a **motion** to appoint Douglas T. Paris, Jr. as Salisbury's City Manager, effective March 6, 2012, and authorize the execution of the employment agreement. Mr. Kennedy seconded the motion.

Mayor Woodson stated since his election as Mayor, he has spent many hours with Mr. Paris. He noted Mr. Paris is committed to the City of Salisbury and has run the City like a business. He stated of all the candidates interviewed, Mr. Paris was the only one who knew Fibrant. He pointed out Council interviewed several excellent candidates, but needed someone experienced in the Broadband Utility.

Mayor Pro Tem Kluttz stated Council worked very hard during the process of hiring the City Manager. She noted Council spent a great deal of time interviewing but could find no one better, or even close to Mr. Paris. She indicated she has worked closely with Mr. Paris over the last five years, since he came to the City has an intern from the University of North Carolina at Chapel Hill, where he was working towards a Masters Degree in Municipal Government. She noted he could have worked in any city, but chose his hometown of Salisbury. She stated she was impressed with Mr. Paris when they traveled to Raleigh where she witnessed firsthand the job he did fighting for the tourism bill, making sure the City had a seat on the ABC Board, working in the fight with Alcoa, and protecting the City's Broadband Utility. She indicated as Interim City Manager, he did an exceptional job and took the City to a new level. She noted he has made some difficult decisions and improvements to the City. She explained the City is very fortunate to have someone of his caliber and professionalism, and vision he has for the City. She stated he will be successful, and the City will flourish under his leadership.

Councilmember Miller stated he was impressed with Mr. Paris and his skills but was concerned because he had never hired a City Manager before. He explained he was looking forward to comparing Mr. Paris to other candidates, and was pleased Mr. Paris did well in the interview process, which allowed Council to see how Mr. Paris measured up to his peers throughout the State. He stated Council interviewed people with various degrees of experience, and he is confident Mr. Paris is up to the task. He commended Mr. Paris for his hard work

during the last six months, and noted he had to make tough decisions that other interims may have avoided. He stated he is pleased with Council's decision and looks forward to working with Mr. Paris in the coming years.

Councilmember Kennedy noted one of his goals when he ran for Council was to have a role in naming the new City Manager. He stated after interviewing the candidates, he compared them to what he knew personally about Mr. Paris. He explained many of the candidates had more experience, but Mr. Paris is a visionary and has completed tasks within six months that Council has worked on for the last three years. He pointed out Mr. Paris is respected by government officials and the General Assembly for his work at the State level. He added he supports Mr. Paris wholeheartedly and recognizes he is the best candidate for the job.

Councilmember Blackwell stated Council interviewed a number of people and worked exhaustively to make the best decision for the City. She noted Mr. Paris' work ethic is unquestionable, and she is very pleased to hire someone who works hard and smart. She indicated Mr. Paris took on many challenges during his interim period such as encouraging the Interim Fibrant Director to reduce the cost of its contracts, and meeting weekly with staff to work on new ideas and ways to cut costs. She noted she is thrilled Council is able to hire him today, and she pointed out this is probably the longest lasting decision this seated Council will make. She indicated Council is very aware of the gravity of this decision and confident Mr. Paris is the right candidate for the job.

Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Klutz voted AYE. (5-0)

Mayor Woodson noted Council will host a reception for Mr. Paris at 3:00 p.m. Tuesday, March 20, 2012 at City Hall. He added Mr. Paris will be sworn in at the Council Meeting on the same day, and he stated the public is invited to attend.

City Manager Doug Paris stated it is an honor and privilege to serve as City Manager, and along with City staff, he will work hard to pursue the objectives, outcomes, goals, and vision this Council has for the City. He thanked Council for the privilege to work as the City Manager for the City of Salisbury.

Mr. Kennedy noted Mr. Paris had the support of the Management Team and staff in his candidacy for City Manager.

Mr. Paris stated over the last six months he has been impressed by each employee and by each member of the Management Team. He explained they are a strong team, and it is a delight to serve with them.

(c) Piedmont Players Theater

Councilmember Blackwell congratulated Piedmont Players Theater on its 50th anniversary. She encouraged citizens to support local fine arts organizations.

(d) Spencer Water and Sewer

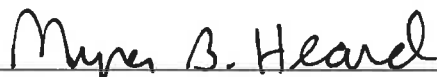
Councilmember Miller announced he recently attended a North Carolina League of Municipalities session on Planning and Zoning. He noted he talked to an alderman from the Town of Spencer and discussed recent water sewer issues. He asked if Council could reach out to the Town of Spencer and have a fact finding discussion regarding the City's agreement with the Town of Spencer.

Mayor Woodson asked Mr. Paris to decide the best way for Council to proceed.

ADJOURNMENT

Motion to adjourn the meeting was made by Ms. Kluttz, seconded by Mr. Kennedy. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 4:50 p.m.


Paul B. Woodson, Jr., Mayor


Myra B. Heard, City Clerk