

Salisbury, North Carolina
January 17, 2023

REGULAR MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, and David Post; City Manager Jim Greene, Jr., City Clerk Connie Snyder; and City Attorney J. Graham Corriher.

ABSENT: Councilmember Anthony Smith.

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.

ADOPTION OF THE AGENDA

Thereupon, Mayor Pro Tem Sheffield made a **motion** to adopt the Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, and Post voted AYE. (4-0)

RECOGNITION – FIRE DEPARTMENT EMPLOYEES

Fire Chief Bob Parnell recognized Deputy Fire Chief David Morris, Fire Marshal Terry Smith, Assistant Fire Marshal Kimberly Boling, Division Chief Shawn McBride, Captain Adrian Gantt, Division Chief Nick Martin, Telecommunications Manager Terry Buff, and Fire Management Analyst Madison McCorkle for their recent promotions within the Fire Department.

Council thanked the Salisbury Fire Department Leadership Team for their dedication to the City.

RECOGNITION – PARKS AND RECREATION EMPLOYEE

Parks and Recreation Director Nick Aceves recognized Sam Wilborn for his promotion to Assistant Parks and Recreation Director.

Council thanked Mr. Wilborn for his dedication to the City and the Parks and Recreation Department.

PROCLAMATIONS

Mayor to proclaim the following observances:

NATIONAL DAY OF RACIAL HEALING
SCHOOL CHOICE WEEK
CATHOLIC SCHOOLS WEEK

January 17, 2023
January 22-28, 2023
January 29-February 4, 2023

CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of January 3, 2023.

(b) Incentive Grant Request – Crow Holdings

Receive an incentive grant request from Crow Holdings for a tax incentive grant and set a public hearing for February 7, 2023 to receive public input. Crow Holdings will invest approximately \$73 million in new construction for the project and is proposing a three-year grant equal to 90% of the new taxes paid on real property consistent with Council's approval of a previous grant.

(c) Update – Employee Pay Grade Classification Schedule

Consider approving an update to the adopted employee pay grade classification schedule to add the position of Senior Accountant at Pay Grade 14.

(d) Budget Ordinance Amendment – Rural Transformation Grant

Adopt a budget Ordinance amendment to the FY2022-2023 budget in the amount of \$875,000 to appropriate a grant from the North Carolina Department of Commerce Rural

Transformation Grant fund for the purchase of the Wells Fargo Building. The building was purchased in 2022 and the budget Ordinance amendment is for reimbursement of the purchase.

AN ORDINANCE AMENDING THE 2022-2023 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE A GRANT TO PURCHASE THE WELLS FARGO BUILDING.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 8, and is known as Ordinance 2023-06.)

(e) Budget Ordinance Amendment – Busker’s Bash Donation

Adopt a budget Ordinance amendment to the FY2022-2023 budget in the amount of \$1,500 to appropriate a grant from the Rowan Arts Council to support the Buskers Bash event.

AN ORDINANCE AMENDING THE 2022-2023 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE A DONATION FOR THE BUSKERS BASH.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 9, and is known as Ordinance 2023-07.)

(f) 2023 Federal Action Plan

Adopt the 2023 Federal Action Plan.

(g) 2023 State Action Plan

Adopt the 2023 State Action Plan.

(h) Purchase – Dump Truck

Authorize the City Manager to approve Purchase Order 230641 in the amount of \$185,327 for the purchase of a quad dump truck. The purchase is included in the FY 2022-2023 budget and being made on the North Carolinas Sheriff’s Association Contract.

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

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.

REZONING – 1700 BLOCK SOUTH JAKE ALEXANDER BOULEVARD

Senior Planner Victoria Bailiff asked Council to consider adoption of an Ordinance amending the Land Development District Map to rezone 1700 South Jake Alexander Boulevard, approximately 6.823 acres, from Corridor Mixed-Use (CMX) to CMX with a Conditional District Overlay.

Ms. Bailiff stated the petitioner is Jared Birindelli of Jake Alexander Storage, LLC. She pointed out the master plan proposes a 96,000 square foot self-storage facility comprised of four buildings to be constructed in four phases. She reviewed the landscape plan, which now includes 51 medium-sized shrubs spaced evenly throughout the existing street yard and a decorative fence installed in front of the building.

Ms. Bailiff added the applicant is requesting four design alternatives from the Land Development Ordinance (LDO). She explained the buildings do not meet the commercial-type design criteria of Section 5.13. She commented Section 5.16 requires a maximum front set back of 75 feet however, building four will be unable to meet the criteria due to the location of the storm water control measure. She explained Section 10.3 requires a minimum of 192 parking spaces for storage uses; however, the applicant is only proposing two, and Section 10.6 requires two parking lot connections to adjacent properties, and the applicant is not proposing any connections due to security concerns.

Ms. Bailiff indicated staff determined the proposed master plan is consistent with policies of the Vision 2020 Comprehensive Plan. She added the Technical Review Committee reviewed the plan on October 20, 2022 and recommended approval subject to minor revisions.

Mayor Alexander asked about the height of the decorative fence. Property owner Reid Miller stated the fence would be six feet tall.

Mayor Alexander continued the public hearing that was opened after due notice at Council's January 3, 2023 meeting regarding the proposed rezoning of the 1700 block of South Jake Alexander Boulevard.

There being no one 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 described herein is reasonable and in the public interest. The proposal is fundamentally consistent with the goals, objectives and policies of the Vision 2020 Comprehensive Plan. Thereupon, Mr. Post made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina to rezone 1700 South Jake Alexander Boulevard, approximately 6.823 acres, from Corridor Mixed-Use to Corridor Mixed-Use with a Conditional District Overlay. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, and Post voted AYE. (4-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA TO REZONE 1700 SOUTH JAKE ALEXANDER BOULEVARD FROM CORRIDOR MIXED-USE TO CORRIDOR MIXED-USE WITH A CONDITIONAL DISTRICT OVERLAY.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 10-11, and is known as Ordinance 2023-08.)

LAND DEVELOPMENT ORDINANCE TEXT AMENDEMNT – CHAPTERS 4 AND 6

Senior Planner Victoria Bailiff stated the proposed Land Development Ordinance (LDO) text amendment focuses on Chapter 4 with minor revisions to Chapter 6. She explained language regarding sidewalks has been moved to Section 4.9 to create consistency. She noted the recommended changes require sidewalks around the bulb of a cul-de-sac, and she pointed out sidewalks will not be required where there is no curb and no requirement for curb installation.

Ms. Bailiff noted the Technical Review Committee considered the request at its October 20, 2022 meeting and recommended approval subject to the removal of Street Cross Section E. She stated the Planning Board reviewed the request at its December 13, 2022 meeting and voted unanimously to recommend approval.

Mayor Alexander convened a public hearing after due notice regarding the proposed LDO text amendment.

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

Mayor Pro Tem Sheffield stated the City Council hereby finds and determines that adoption of an Ordinance to amend the Land Development Ordinance of the City of Salisbury as underlined or stricken herein is reasonable, in the public interest and consistent with the goals, objectives and policies of the Vision 2020 Comprehensive Plan. Thereupon, Ms. Sheffield made a **motion** to adopt an Ordinance amending Chapter 4 Subdivisions and Infrastructure and Chapter 6 Lot Infill and Accessory Provisions of the Land Development Ordinance of the City of Salisbury, North Carolina. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, and Post voted AYE. (4-0)

ORDINANCE TO AMEND THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF SALISBURY AS UNDERLINED OR STRICKEN HEREIN IS REASONABLE, IN THE PUBLIC INTEREST AND CONSISTENT WITH THE GOALS, OBJECTIVES AND POLICIES OF THE VISION 2020 COMPREHENSIVE PLAN.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 12-51, and is known as Ordinance 2023-09.)

LAND DEVELOPMENT ORDINANCE TEXT AMENDEMNT – APPENDIX D AIRPORT ZONING OVERLAY DISTRICT

Senior Planner Victoria Bailiff addressed Council regarding a text amendment to Appendix D Airport Zoning Overlay District of the Land Development Ordinance (LDO). She explained definitions are included in a section of the appendix and minor changes were made to increase clarity. She stated the County brought the proposed amendments to staff who requested to reference City zoning maps instead of Rowan County maps.

Ms. Bailiff noted the Technical Review Committee reviewed the request at its October 20, 2022 meeting and recommended approval as submitted. She indicated Planning Board considered the request at its December 13, 2022 meeting and recommended approval.

Mayor Alexander convened a public hearing after due notice regarding the proposed LDO text amendment.

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

Councilmember McLaughlin stated the City Council hereby finds and determines that adoption of an Ordinance to amend the Land Development Ordinance of the City of Salisbury as underlined or stricken herein is reasonable, in the public interest and consistent with the goals, objectives and policies of the Vision 2020 Comprehensive Plan. Thereupon, Mr. McLaughlin made a **motion** to adopt an Ordinance amending Appendix D, Airport Zoning Overlay of the Land Development Ordinance of the City of Salisbury, North Carolina. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, and Post voted AYE. (4-0)

ORDINANCE AMENDING APPENDIX D, AIRPORT ZONING OVERLAY OF THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA.

(The above Ordinance is recorded in full in Ordinance Book No. 31 at Page No. 52-53, and is known as Ordinance 2023-10.)

LITTER REDUCTION MEASURES

Sustainability Coordinator Allie Thies and Urban Design Planner Alyssa Nelson presented information regarding litter in the City.

Ms. Thies pointed out the North Carolina Department of Transportation (NCDOT) removed 1,764,345 pounds of litter from Rowan County and four other surrounding counties. She noted littering is a crime and the first offense can range from \$250 to \$1,000, with the second offense being \$2,000. She commented the average person will hold a piece of trash for 12 steps before they litter and fast food accounts for approximately 33% of all litter.

Ms. Thies commented staff has identified a list of streets needing attention that are not adopted by the Adopt-The-Street program including Gold Hill Drive, Old Wilkesboro Road,

Morlan Park Road, Clancy Street, Ryan Street, and Long Meadow Street. She noted the Public Works Grounds Department picked up 315 bags of litter in 2022. She pointed out the Adopt-A-Street Program has 11 active members, three possible new members, and two yearly volunteer contracts. She indicated the program is free to anyone who lives inside the City limits and gloves, vests, pickers and bags are provided by the City. She pointed out once a street is adopted an Adopt-A-Street sign is placed on the street.

Ms. Thies indicated Litter Sweeps take place four times a year and the public is invited to attend and pick up litter. She pointed out the City has partnerships with the Community Appearance Commission (CAC) and the Neighborhood Leaders Alliance (NLA) to assist with litter cleanups. She noted the City has OSCARS which are built to gather trash before it goes downstream. She stated the OSCAR currently located at Memorial Park captures 300 acres of water from the downtown and the West End and is cleaned approximately every three months by students and faculty at Catawba College who remove an average of four to six 96-gallon trashcans of trash at each clean out. She added another OSCAR is located at Hurley Park that captures 125 acres of water draining from Novant Health Rowan Medical Center and is cleaned monthly by staff at Hurley Park averaging about half a trash can of trash each month.

Ms. Thies pointed out environmental awareness takes place through partnerships with Rowan County and Horizons Unlimited which include yearly Creek Week events to clean up streams. She indicated a group of students within Rowan County called Inside Out Global created a video clip regarding litter and recycling awareness in Salisbury. She commented staff uses social media as a tool to engage with residents about community events, programs, and what is taking place around the City.

Mayor Pro Tem Sheffield asked about Adopt-A-Street streets that are not maintained. Ms. Thies commented staff can follow up to make sure the streets are being maintained. Mayor Alexander asked if there are formal procedures regarding the streets being unmaintained. Ms. Thies note staff checks on streets and reaches out to those who have adopted the street.

Mayor Pro Tem Sheffield thanked those who pick up litter in the City. She added it is going to take a larger group of people working together, but she is glad to see the efforts in place.

Councilmember Post asked about the process to adopt a street. Ms. Thies noted the application is on the City's website and once the application is completed a list of streets are provided so the applicant can select a street. She noted agreements are signed and pickers and vests are then provided. Mr. Post suggested Council publically recognize the work of those who adopt streets in the City.

ILLEGAL DUMPING ABATEMENT PROCEDURES

Interim Public Works Director Chris Tester and Code Services Manager Michael Cotilla addressed Council regarding abatement procedures for illegal dumping in the City.

Mr. Tester stated that Public Works and Code Enforcement have established a policy for addressing illegal dumping in the City and created a standard operating procedure for collecting illegally dumped materials. He stated this policy sets clear guidelines for the City, residents, and businesses.

Mr. Tester explained City Code states that illegally dumped materials are the property owner's responsibility, and garbage not placed in an approved container will be deemed as bulky items and shall be the customer's responsibility for disposal.

Mr. Cotilla summarized the illegal dumping operations five-step process.

Mayor Pro Tem Sheffield clarified the City provides free bulky item pickup four times a year through Spruce Up Weeks, and she noted citizens can schedule a bulk item pick up by calling the Public Works department.

Mayor Alexander asked if the Communications Department could include a letter in the Lamplighter newsletter to provide information on bulk item pick-up and the illegal dumping policy.

City Manager Jim Greene thanked Mr. Tester and Mr. Cotilla for their work establishing an illegal dumping policy.

SPECIAL EVENTS PERMITTING PROCESS

City Manager Jim Greene stated Council expressed concerns regarding the permitting process for special events. He noted he has worked with staff to transition the special events permitting process from Development Services to the Fire Department to focus on public safety. He explained Council considered the issue several years ago and it approved the current procedures. He indicated staff would like to consider the process and bring its recommendations back to Council.

Deputy Fire Chief David Morris and Captain Adrian Gantt then addressed Council regarding the special events permitting process. Deputy Chief Morris provided a history of the special events permitting process. He noted staff worked with Councilmember Post, former Councilmember Brian Miller and stakeholders to create the special permitting guidebook and process that Council adopted in 2018.

Deputy Chief Morris noted special events were cancelled during the pandemic and changes took place in the One Stop Shop which created an opportunity to review and update the process. He added as festival attendance increases it is important for staff and other agencies to take a broader look at public safety at special events. He explained the previous process was paper driven and could be hard to follow. He added the goal is to update the process and take advantage of available technology.

Captain Gantt stated the updated process includes an online application. She pointed out the Parks and Recreation Department maintains applications for its events and events at the Bell Tower Green Park separately from the applications that are submitted to the Fire Department, but collaboration takes place regarding event safety. She explained an online calendar was created that includes the application, maps, notes and permits in an effort to share information between departments. She indicated pre-event meetings are held with the event organizer to increase the flow of information and committee meetings are held with public safety partners. She noted a cashiering station has been set up at Fire Station 1 so applicants can pay for special event permits. She commented staff follows up with applicants after their event has taken place.

Captain Gantt reviewed the online event permit and the shared calendar. She pointed out the current timeline is 60 days and an insurance policy with \$1 million liability or a hold harmless agreement is required. She indicated staff would like to solicit information from other cities regarding their special events policies, seek input from organizers, and engagement from community members that attend the special events.

Deputy Chief Morris noted the paper form has been updated and staff is considering software that will simplify the process and accept online payments. He commented staff wants to look at improving resources for public safety, expanding emergency notifications for large events, and collaborative planning with stakeholders. He added staff wants to have a discussion with internal stakeholders regarding private waste contractors and security opportunities that could assist during some events. He commented staff would like to review the fee schedule, and he pointed out City events are growing and the goal is to provide a great event and recover some of the associated costs.

Mayor Pro Tem Sheffield clarified the proposal is for a process change and there is no change to fee schedule or the timeframe for special events. She pointed out the proposed changes do not address demonstrations that are covered by the First Amendment. She indicated the shared calendar is for internal use, and she asked about an external calendar for event organization. Deputy Chief Morris noted there is an events calendar on the City's website and staff can consider an external calendar to assist with event planning.

Mayor Alexander asked about a hierarchy regarding timeframe for the permitting process and permit costs for large and small events. Deputy Chief Morris noted staff will research what is being done in other communities and bring its findings back to Council.

Mr. Greene stated the 60-day timeframe and fee schedule was set by Council and staff is requesting to examine the process to create efficiency and promote safety. He pointed out event fees do not cover the cost for City resources that are used at the events. He added staff would like to examine the process and bring its recommendations regarding fees back to Council as part of the budget process.

Mayor Alexander thanked staff for building on what was previously accomplished, and she indicated it is appropriate to reexamine the process.

Council thanked Deputy Chief Morris and Captain Gantt for their presentation.

CITY ATTORNEY'S REPORT

City Attorney Graham Corriher had nothing to report to Council.

CITY MANAGER'S REPORT

City Manager Jim Greene pointed out January 25, 2023 will be the first day of Council's Retreat at City Hall in Council Chambers. He asked Council to arrive by 1:00 p.m. for refreshments and to visit with staff.

Mr. Greene recognized and thanked Diversity Equity and Inclusion Director Anne Little, the Human Relations Council (HRC), and staff for their tremendous work for the Martin Luther King, Jr. Celebration weekend.

COUNCIL COMMENTS

Councilmember McLaughlin thanked staff and everyone who helped during the Martin Luther King, Jr. celebration weekend.

MAYOR PRO TEM'S COMMENTS

Mayor Pro Tem Sheffield commented the Community Appearance Commission (CAC) will conduct a Litter Sweep on January 28, 2023.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander thanked staff and the members of the Human Relations Council (HRC) for all the hard work that took place for the Martin Luther King, Jr. Celebration weekend.

(a) Council Planning Retreat

Mayor Alexander announced City Council will hold its 2023 Planning Retreat Wednesday, January 25, 2023 from 1:30 p.m. until 7:30 p.m. and Thursday, January 26, 2023 from 10:00 a.m. until 4:30 p.m. The Retreat will be held in Council Chambers at City Hall, 217 South Main Street.

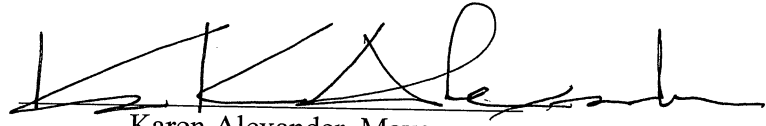
(b) Wine About Winter

Mayor Alexander announced Downtown Salisbury, Inc. will host the 10th Annual Wine About Winter Friday, February 3, 2023 from 5:00 p.m. until 9:00 p.m. Tickets include a tasting pass for wine samples. Each ticketholder must be 21 or older. For more information please visit www.downtownsalisburync.com or call (704) 637-7814.

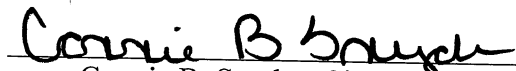
ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 7:57 p.m.



Karen Alexander, Mayor



Connie B. Snyder, City Clerk