Salisbury, North Carolina  
September 19, 2017

REGULAR MEETING

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

ABSENT: None.

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

PLEDGE OF ALLEGIANCE

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

RECOGNITION OF VISITORS

Mayor Alexander welcomed all visitors present.

OATH OF NEW CITY CLERK

Mayor Alexander administered the Oath of office to new City Clerk Diane Gilmore. Ms. Gilmore’s daughters, Alyssa Gilmore and Amber Gilmore, held the bible as Ms. Gilmore took her Oath. Council welcomed Ms. Gilmore to her new role as City Clerk.
CONSENT AGENDA

(a) Approval of Minutes

Adopt Minutes of the Regular meeting of September 5, 2017.

(b) Acceptance of streets - Civic Park Phase II

Accept the streets in Civic Park Phase II for City maintenance and adopt an ORDINANCE to establish stop conditions and establish the warranty period (retroactive to December 13, 2016).

AN ORDINANCE AMENDING SECTION 13-332, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO STOP SIGNS.

(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page No. 171, and is known as Ordinance 2017-50.)

(c) Sale of property - Crosby Street

Authorize the sale of a 0.114 acre parcel (formerly a portion of Crosby Street) located off Grace Church Road adjacent to Parcel 477-067 to Teramore Development, LLC in the amount of $5,000.

(d) Transportation Advisory Board – Code Amendment

Adopt an ORDINANCE amending the Code of the City of Salisbury, North Carolina by amending Appendix D Boards, Committees, Commissions, etc. regarding permanent membership designations for the Transportation Advisory Board.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SALISBURY, NORTH CAROLINA BY AMENDING APPENDIX D BOARDS, COMMITTEES, COMMISSIONS, ETC.

(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page No. 172, and is known as Ordinance 2017-51.)

Mayor Alexander asked if she should be recused and explained that her son works for Teramore Development, LLC. City Attorney Rivers Lawther pointed out Mayor had recused herself during the initial bid process, and he did not think there was a need to be recused.

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

Mayor Alexander announced the following changes to the Agenda:

Postpone – Item 11 – Council to consider issuance of a demolition permit for the structure located at 201 East Innes Street.

Postpone – Item 13 – Council to consider awarding a unit price contract for the construction of Newsome Road Extension (U-5820B) between Innes Street and Faith Road.

UPDATE – SALISBURY POLICE CHIEF

Police Chief Jerry Stokes reviewed staffing and pointed out the Police Department is approximately 88.9% staffed.

Chief Stokes stated it has been relatively quiet for the past few weeks, and Police are seeking two suspects for the crime that occurred on Brenner Crossing. He encouraged anyone with information to contact Crime Stoppers. He indicated since last year residential burglaries were down 46%, theft for motor vehicles down 8%, and assault with dangerous weapon and shots fired increased slightly, but he is seeing a downward trend. He stated Report 1 crime is down 9% compared to last year.

Councilmember Hardin inquired about the availability of the quarterly report. Chief Stokes noted an update of the first three quarters of 2017 would be available in comparison with 2016.

Mr. Hardin asked if there were any updates regarding the shooting that occurred at Park Avenue. Chief Stokes indicated getting information has been difficult and to solve this crime people need to come forward with information.

Mr. Hardin asked Chief Stokes if Wal-Mart required any specialized law enforcement. Chief Stokes indicated Wal-Mart is always a call generator, and he is hopeful working with loss prevention will allow police officers more time for foot patrol.

Councilmember Miller asked Chief Stokes when a facility like Wal-Mart would have sufficient call volume to require private security. Chief Stokes explained Wal-Mart has its own internal loss prevention security.

Mayor Alexander thanked Chief Stokes for his update.

COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAM FUNDS

Planner Kyle Harris stated each year the City receives approximately $400,000 from the United States Department of Housing and Urban Development (HUD). Mr. Harris stated the Planning Department has a partnership with the Community Development Corporation (CDC)
where funds are allocated for housing stabilization projects, public service agencies, public infrastructure funding, and other related home ownership projects.

Mr. Harris provided an overview of accomplishments for the Community Development Block Grant (CDBG) and HOME Programs for Fiscal Year 2016-2017. He noted HUD allocated $270,910 for CDBG, $95,489 for HOME Funds, and $25,000 for program income.

Mr. Harris indicated six substantial rehabilitations of owner-occupied homes are completed or underway, and one down-payment and closing assistance occurred in the West End, Jersey City or Park Avenue neighborhoods.

Mr. Harris indicated the City of Salisbury has taken affirmative action in furthering fair housing. He stated $6,000 was budgeted to conduct fair housing testing next fiscal year. Councilmember Miller asked if funds would be available this fiscal year or next. Mr. Harris responded funds are available this fiscal year 2017-18.

Mr. Harris pointed out the City has made available detailed information about the rights and protections granted by the Fair Housing Act, including protections from discrimination when renting, buying, or securing financing for housing. He stated this information can be found through the City newsletter, brochures, the City website and social media.

Mr. Harris indicated last fiscal year the Salisbury CDC offered Fair Housing Workshop classes, and it plans to offer additional classes in the future.

Mr. Harris informed Council the public services funding, directly or indirectly, benefited more than 7,000 people.

Mr. Hardin asked Mr. Harris how many people participated in the homebuyer classes and if they were local. Mr. Harris stated the participants were local and the number was approximately 106.

Mr. Hardin asked when fair housing testing will begin. Mr. Harris stated money has been allocated, but testing has not yet begun. Mr. Hardin asked when Fair Housing testing had last been conducted. Planning Director Janet Gapen responded she believes this will be the first fair housing testing.

CDC Executive Director Chanaka Yatawara stated since 2011 the North Carolina Finance Agency received funds from the United States Treasury in the amount of $7.6 million dollars. He noted funds have been used to assist families who fell into foreclosure by no fault of their own. He noted this agency serves Rowan County and other surrounding counties. Mr. Yatawara indicated since 2016 there has been a downward trend in foreclosure assistance and an increase in homeownership.

Councilmember Post asked if the CDC provided rental assistance. Mr. Yatawara stated no rental assistance funds are provided through CDC. He noted the Salvation Army and Rowan Helping Ministries provides rental assistance.
Mr. Post asked if an inventory of abandoned houses was going to be conducted and if they can be used for rehabilitation. Mr. Post pointed out the sale of two renovated houses in six months seemed to be a small number. Mr. Yatawara stated CDC provides current homeowners with home repair assistance.

Mr. Miller asked Mr. Yatawara if it was harder to find banks willing to give loans or citizens who are qualified. Mr. Yatawara stated it is harder to find people who are qualified. Mr. Miller encouraged anyone who might be interested in becoming a homeowner to contact CDC.

Mayor Alexander convened a public hearing, after due notice thereof, to receive comments regarding Community Development Block Grant and Home Program Funds.

Mr. Rodney Queen stated the abandoned houses could be an asset to the city.

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

**LAND DEVELOPMENT DISTRICT MAP AMENDMENT Z-05-2017 – 420 GASKEY ROAD**

Development and Code Services Manager Preston Mitchell addressed Council regarding Land Development District Map Amendment Z-05-2017. He explained the request before Council is a general rezoning that does not require a site plan, and he pointed out the rights, uses and entitlements of the current zoning are included in the proposed rezoning.

Mr. Mitchell stated the request is to rezone one parcel at 420 Gaskey Road from General Residential (GR) to Manufactured Home Development (MHD) Neighborhood to allow for a double-wide manufactured home.

Mr. Mitchell reviewed the area zoning, and he pointed out the parcel is located at the corner of Gaskey Road and Rachel Lane and adjoins Grants Meadow, a manufactured home development. He explained MHD-Neighborhood requires individually platted lots and does not permit single-wide manufactured units. He added MHD zoning allows double-wide manufactured units and modular and stick built homes. He then reviewed the permitted uses, and he pointed out multi-family units are permitted in MHD zoning while secondary dwellings are not allowed.

Mr. Mitchell stated the Planning Board considered the request at its September 12, 2017 meeting and unanimously recommended approval.

(b) Mayor Alexander convened a public hearing, after due notice thereof, to receive comments regarding Z-05-2017.

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

Councilmember Miller pointed out the request is consistent with the surrounding parcels and there is no attempt to subdivide the lot. Mr. Mitchell agreed.
Mr. Miller stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property described herein is reasonable, in the public interest, and consistent with the Vision Statement of the Vision 2020 Comprehensive Plan supporting a multitude of housing choices. Thereupon, Mr. Miller made a motion to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina, rezoning 420 Gaskey Road from General Residential district to Manufactured Home Development-Neighborhood district. Mr. Post seconded the motion. Messrs. Miller, Hardin and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING 420 GASKEY ROAD FROM GENERAL RESIDENTIAL DISTRICT TO MANUFACTURED HOME DEVELOPMENT-NEIGHBORHOOD DISTRICT.

(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page No. 173, and is known as Ordinance 2017-52)

DEMOLITION PERMIT – 201 EAST INNES STREET

This item was postponed.

PUBLIC COMMENTS

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

Mr. David Harrison expressed his concern regarding the proposed location of Fire Station 3 on Mahaley Avenue. He noted he and several property owners own 1.86 acres of land that could accommodate Fire Station 3. He questioned how response time is measured and he referred to the distance between fire stations. Mr. Jeff Saleeby yielded his time to Mr. Harrison.

Ms. Darlene Scott presented information to Council regarding the Quadruple E program. She commented an eight month event is being planned to celebrate educate, empower and entertain community youth beginning November 2017. She noted the program will take place each Saturday from November 2017 until June 2018 from 10:00 a.m. until 2:00 p.m. and will include activities, events, tutoring classes and field trips for area youth.

Councilmember Hardin asked Mr. Harrison how he acquired his distance information. Mr. Harrison stated he compared the distances he drove to calculate the data he provided to Council.

Ms. Joanna Young stated she is concerned a fire station will bring noise and lights to the community. She questioned if the water runoff will run to the holding facility or if it will overflow into the neighborhood and create flood conditions. She pointed out the area is congested, and she asked Council to consider another site for Fire Station 3.
Ms. Carmony Hartwig thanked Council for hearing citizen’s comments and concerns. She added she opposes the location of Fire Station 3 on Mahaley Avenue. She then yielded her time to Dr. Jay Bolin.

Dr. Bolin stated he sent Council a petition that was signed by every address on Lilly Avenue, and he had emailed suggested changes that included cutting the corner off of the highest point of the wall facing Lilly Avenue, a 15-foot screen of trees around the stormwater retention facility to be included in the Conditional District Overlay and potentially reducing the light poles from 20 feet to 30 feet. He commented the project is three to four years from breaking ground, and he asked Council to deny the request and search for a different location.

Mr. Todd Paris indicated Fire Station 3 should not be located in a residential neighborhood. He pointed out a fire station on a main road is easily accessible to the public. He referenced the number of vacant properties in the City, and he suggested the City consider funding to help bring vacant houses to code.

Mr. Brent Lyerly stated he lost his business to a fire. He added he lives within one mile of a volunteer fire department, rescue squad, EMS station and fair grounds. He commented noise is a part of City life and he pointed out the Mahaley Avenue site is close to Food Lion, Walgreens, two convenience stores and Catawba College. He requested Council consider the Mahaley Avenue site, and he commented he would welcome a fire department being located next door to him.

Mr. Kim Porter noted a demonstration will be held September 28, 2017 on the Catawba College campus at the Student Center at 11:00 a.m. regarding Deferred Action for Childhood Arrivals (DACA) students.

Mr. George W. Benson stated he does not support the proposed location for Fire Station 3. He pointed out call response time is important, and he suggested finding a location to the west in the business area. He pointed out three brick houses would be torn down to make room for the proposed fire station.

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

Councilmember Miller requested a five minute recess.

Thereupon Mr. Miller made a motion to take a short recess. Mr. Hardin seconded the motion. Messrs. Miller, Hardin and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

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

Councilmember Post requested to be recused because of the close proximity of his home to the proposed location of Fire Station 3.
Thereupon, Ms. Blackwell made a motion to recuse Mr. Post. Mr. Hardin seconded the motion. There was discussion regarding whether Mr. Post should remain in the room. Mr. Post took a seat in the audience. Messrs. Hardin, Miller, and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

Development and Code Services Manager Preston Mitchell reviewed the location of the proposed site for Fire Station 3, and he pointed out the site is located in the 100 block of Mahaley Avenue across from Food Lion and near the Ketner Center. He noted the proposed site for Fire Station 3 encompasses three parcels, and a portion of 160 Mahaley Avenue, which would be combined into one site. He pointed out the remaining portion of 160 Mahaley Avenue would be undeveloped except for a shared detention facility.

Mr. Mitchell noted the site is currently zoned General Residential (GR), and the request is to rezone the property to Residential Mixed-Use (RMX) with a Conditional District (CD) Overlay, as required for government services and public safety stations. He explained the CD Overlay stipulates whatever is shown on the plan and adopted by Council must be constructed.

Mr. Mitchell stated the parcels would have two zonings: RMX-CD and GR-CD. He explained the proposed site for Fire Station 3 would be rezoned to RMX-CD and the remaining parcel of 160 Mahaley Avenue would be zoned GR-CD and would remain the property of the Bunker family.

Mr. Mitchell pointed out the proposed fire station is 13,000 square feet with a 4,000 square foot bay. He displayed a rendering of the project. He noted an antique fire truck bay would be included in the proposal and serve as an educational opportunity for local children.

Mr. Mitchell explained the Planning Board requested additional information regarding the site lighting, and he noted a revised site plan was submitted that included the installation of the light poles and wall packs. He pointed out the Planning Board expressed concern regarding the lack of buffering along the northern property line adjacent to Lilly Avenue. He explained the original proposal included access along the access easement to help maintain the shared detention facility. He stated the access easement was moved to allow an increase in buffering along the northern property line. He referred to the retaining wall located near the Lilly Avenue neighborhood. He indicated the retaining wall would be approximately 4-feet high and was extended to mitigate concerns regarding light, sound and other intrusions into the neighborhood.

Mr. Mitchell stated staff believes polices N-1, N-5 and N-11 of the Vision 2020 Comprehensive Plan apply to the area, and he pointed out if the Ordinance is adopted it would require a public safety station be constructed on the site. He noted 160 Mahaley Avenue would require a CD amendment for any type of additional development. He added staff recommends clearing and grading at 160 Mahaley Avenue be limited to the 675 foot contour line.

Councilmember Hardin noted N-5 and N-11 of the Vision 2020 Plan state the proposed fire station must be architecturally compatible. Mr. Mitchell agreed, and he explained the Ketner Center is one of three large commercial nodes in the City. He added the proposed fire station is approximately 17,000 square feet, and he referenced a 15,000 square foot dentist office, a 14,000
square foot Walgreens, an 8,300 square foot office building, and the 16,000 square foot Horizons Unlimited building are all located near the Ketner commercial node.

Mr. Hardin commented the proposed fire station does not match its surroundings. Mr. Mitchell pointed out no matter how the properties are developed in the future the development would require a retaining wall. He added any development over one acre is required to have a stormwater detention facility. He explained Fire Station 3 would have a rain garden, but would not be permitted to hold water because of its close proximity to the airport. He commented the property along Mahaley Avenue will probably not remain single family dwellings in the future, even if Fire Station 3 is placed at another location.

Mayor Pro Tem Blackwell stated the proposal is for a red brick building with stone pediments and arches that are similar to the Ketner Center. She pointed out Hendrix Barbeque and Walgreens are both red brick buildings with concrete pediments, and she commented the proposal for Fire Station 3 is compatible with surrounding commercial buildings.

Mayor Alexander noted the scale of the Ketner Center and the Walgreens is similar to the proposed building, and the architectural elements in the area contain red brick and large windows.

Mayor Alexander asked Project Architect Bill Burgin to address Council. Mr. Burgin stated a public meeting was held, and he noted the comments and discussions helped him mitigate some of the concerns expressed by the neighborhood.

Mr. Burgin stated the design is classic for an urban fire station, and its height and scale are consistent with other buildings in the area. He noted the Planning Board requested an illustration regarding the proposed lighting. He explained 30-foot poles were used because they were cost effective, and he noted residential street lights are on 30-foot poles. He stated the street lights can be placed on 20-foot poles, but it will require additional lighting. He noted City Ordinance requires lighting to be one foot-candle from the property line. He added the proposed LED street lighting can be turned down at a certain hour to half the power which would reduce the one foot-candle.

Mr. Burgin displayed the elevation drawings, and he pointed out the retaining wall is 13 feet and 4 inches at its highest. He explained the Planning Board requested the wall start at 3 foot 6 inches so it covers the fire truck headlights to keep them from sweeping into the neighborhood. He noted the wall could be converted to a solid rail sitting on a wall, but he pointed out the masonry wall creates a sound buffer.

Mr. Burgin reviewed the proposed floor and site plans. He stated State law requires water leave the site in the direction it would leave if the property was undeveloped, and the bio-cell is carefully located so water can be properly routed. He noted Federal Aviation Administration (FAA) rules state the bio-cell cannot hold water.

Mr. Burgin then reviewed fire station coverage gaps within the City. He stated fire trucks cannot get to homes outside of a 1.5 street mile radius in the amount of time insurance companies deem acceptable. He explained when a new fire station is constructed it provides an opportunity to close the coverage gaps. He noted fire coverage gaps are serious on the outer edge of coverage,
but an inside coverage gap will never be corrected. He explained if Fire Station 3 is located on Grove Street it creates middle coverage gap for Fire Station 4 that will never be solved. He clarified the goal is to have minimal overlap and close the coverage gaps along the edges. Mr. Burgin added the proposed location improves the efficiency of the Fire Department. He explained if two sites were being considered and the coverage gaps were the same, then road mileage would be included in the formula, but road miles are not the best indicator of a good site for Fire Station 3. He pointed out if the 1.5 mile radius is over a densely populated area it creates additional road miles.

Mr. Burgin pointed out the proposed site for Fire Station 3 will affect a residential neighborhood, but he added the team tried to pick a site that will have the least effect on the fewest number of citizens. He noted five sites were originally considered for Fire Station 3 and at its last meeting Council offered two additional sites for consideration.

Mr. Burgin reviewed the first site, located on Mahaley Avenue, and he pointed out the area is zoned Corridor Mixed-Use (CMX). He noted an additional residential parcel would need to be purchased. He explained neighbors at the back of the site would be impacted but will have a noise advantage, because the fire horns on the engines are designed to move the sound forward. He clarified if a fire truck is moving forward the sound decibel are reduced to two decibels from behind.

Mr. Burgin pointed out the site across the street at Food Lion was also considered. He noted it would have been difficult to maneuver the fire trucks because of their size. He explained a fire truck must be out of the door in 60 seconds once the alarm sounds. He stated the site was eliminated because Food Lion would have to be purchased making it the most expensive site considered. He commented the site does not have a sediment basin which would create additional expense.

Mr. Burgin reviewed the site owned by Nazareth Children’s Home, and he noted the site is closer to Old Mocksville Road. He explained the site was previously owned by Rowan County, and the County did not encourage the purchase of the site for Fire Station 3. He noted the site was purchased by Nazareth Children’s Home and is no longer for sale.

Mr. Burgin stated the next site considered was near the hospital. He pointed out the site is for sale and big enough to accommodate a fire station and sediment basin. He noted residences are located across the street, and the fire horn would sound directly toward their home.

Mr. Burgin indicated the next site is closest to Old Mocksville Road but would require the purchase of two pieces of property, one of which is not for sale. He added the location has neighbors across the street and the fire horns create an issue, and he added the site would also require a retaining wall.

Mr. Burgin stated there could be other sites, but those were the ones that were for sale or could be acquired. He pointed out a public discussion could affect the price of a property so site discussions were limited.
Mr. Burgin indicated he was directed to consider property on Statesville Boulevard. He pointed out business are located directly across the street, but the property is also one-half block from residential areas and the fire horns would be aimed directly at the homes. He indicated the site is 5.5 acres, more than is needed for the fire station, and the Statesville Boulevard site creates a bigger overlap with Fire Station 4 reducing efficiency.

Mr. Hardin commented the City is preparing to build a Greenway from Jake Alexander Boulevard to Kelsey Scott Park. He added the City is building up an area for the greenway that contains water, but using the water as a reason not to consider this location for a fire station.

Mr. Burgin explained the site for Fire Station 3 must be able to support a 70,000 pound fire truck, and the Greenway would support people who weigh much less. He explained the site could be filled, but depending on the needed depth, it could be extremely expensive. He added he would not recommend the Statesville Boulevard site for the fire station. Mayor Pro Tem Blackwell pointed out a sizeable Stormwater Grant was recently awarded to business slightly north of the proposed location because of a sink hole in its parking lot that was caused by an underground spring.

Mr. Burgin noted a price comparison was completed on all of the lots that took into consideration the need for retaining walls and fill. He pointed out the Statesville Boulevard site creates an unwanted overlap that reduces efficiency and could create additional insurance charges for citizens and businesses.

Mr. Burgin reviewed the final site, and he pointed out it would create a .8 mile gap. He stated in a 1.5 mile radius, a .8 mile gap is large and would create an internal gap that would never be closed. Mayor Alexander clarified gaps increase the amount of time the fire truck needs to get to the neighborhoods that are the furthest away. Mr. Burgin agreed, and he pointed out external gaps can be fixed but internal gaps are permanent.

Mr. Burgin added he cannot attest to whether Fire Station 3 will affect surrounding property values. He pointed out the Walgreens did not negatively affect neighboring property values when it was constructed. He reviewed the scoring evaluation sheet, and he pointed out the assets and liabilities for each site.

Mr. Burgin noted there was an interest in removing the corner of the wall on the Bunker site which would move the highest part of the wall away from the property line. He noted Fire Station 3 would lose three parking spaces, but Chief Parnell agreed to the change. He pointed out a two-tier wall could be constructed. He added the suggestion to reduce the light poles to 20 feet could help with light spill on adjacent property. He pointed out the tree screen runs to the City’s property line, and he noted citizens requested the tree screen be included along the entire parcel which would require Mr. Bunker’s permission.

Ms. Blackwell asked how much of the wall would be removed if the corner is eliminated. Mr. Burgin noted the wall could be reduced so that the highest part of the wall would be 25 feet from the property line creating a 40-foot buffer. Mayor Alexander asked if the wall will remain the same height. Mr. Burgin noted the height will increase by approximately eight inches. Ms.
Blackwell noted the firetrucks will leave from the front of the building and return to the back of the building. Mr. Burgin agreed, and he pointed out there would be no sound on the return to the station, only lights and the wall is solid up to the height of the lights. He clarified the sound from the trucks on their way out of the bay would be pointed toward Food Lion.

Mr. Hardin noted he has seen fire trucks from the east side coming to the west side of the City. He asked if it diminishes the importance of percentages covered if the fire trucks are crossing boundaries. Chief Parnell noted the boundaries are crossed during the most serious fire calls.

Chief Parnell stated the percentage of road miles covered at the Grove Street site independent of Fire District 3 is slightly higher than the Mahaley Avenue site. He explained fire insurance premiums are affected by a 1.5 mile radius from the fire station and the number of road miles in the 1.5 mile radius for residential sites, but especially for commercial and industrial sites. He commented if the Fire Department Insurance Services Office (ISO) rating drops from a 2 to a 3, a 7% to 10% rate increase for commercial buildings City-wide can be expected.

Chief Parnell noted the Fire Department covers 235.37 road miles City-wide and the current Fire Station 3 covers 161.9 road miles or 68.7% City-wide. He pointed out if the Mahaley Avenue site is selected the road miles covered would increase to 74.16%. He indicated the Grove Street site would increase coverage to 71.79%. He stated the best percentage of road miles covered City-wide is the Mahaley Avenue site, which puts the Fire Department in the best position to positively impact the ISO rating. He stated if the best site is not chosen it will negatively impact the City for years to come. Mr. Hardin commented the coverage percentages do not take into account when fire trucks cross boundaries. Chief Parnell noted the Fire Department’s ISO rating is scored on road miles covered. Mr. Hardin asked if fire trucks crossing boundaries is figured into ISO ratings. Chief Parnell agreed and he stated the Bunker site is the best site for fire service provision.

Mr. Burgin stated other neighborhoods will be affected if the coverage is reduced, and Council must make the best decision for all of its citizens. Mayor Alexander noted Council must do what is best for the entire population.

Chief Parnell pointed out the North Main corridor is fragile because of the train tracks along North Main Street, the Shober Bridge that fire trucks cannot cross, and at times Lee and Main Streets are closed for events. He added he must rely on Fire Station 3 to provide coverage to North Main Street during those times. He clarified if fire trucks from Fire Station 1 cannot get by because of a train, Fire Station 3 must answer the call.

Councilmember Miller indicated the homes on North Main Street are older and could create a greater fire hazard than newer homes. Chief Parnell agreed, and he pointed out the Fire Department’s current response time averages 30 miles per hour, or two minutes per mile. He stated a question was raised about the difference .8 mile would make in response time, and he noted the difference is almost two minutes in a life or death situation.
Mr. Miller stated he spoke to Mr. Burgin about the Bunker site and moving the building closer to Mahaley Avenue to create additional buffer in the back, but there is a topography issue and a flat pad is needed to maneuver the trucks. He added Council is carefully considering the impact of each proposed location on the community and the City.

Chief Parnell noted 20-foot light poles will not be a problem for the Fire Department. Mayor Alexander asked why 20-foot light poles would be considered if it would require additional lights and the 30-foot poles are standard. Mr. Burgin clarified the neighbors believe 20-foot light poles would be better for the neighborhood and they can be made to work. He stated the height of the light poles would make no difference since the light of the one foot-candle from the property line is one foot or less. He stated the one foot-candle will stop before it gets to the property line because it is more important to light the building.

Mr. Miller stated a compromise has been offered, and he asked if Council can approve what it has or if it needs something to visually represent the compromises as part of the record. Mr. Mitchell noted the proposed compromises can be accepted, and Council can identify that the wall is going to be reduced, and Mr. Burgin will adjust and resubmit the site plan. Mr. Burgin stated the wall will be placed nine feet from the outer loop and will eliminate the corner.

Mayor Alexander asked about the 675 foot topography line. Mr. Burgin pointed out the topography line on the survey map, and he noted if the conditions that were mentioned are approved there would be a tree-lined buffer at the contour. Mr. Burgin noted the tree lined buffer may be 50 feet from the detention facility. Mayor Alexander pointed out the owners of 160 Mahaley Avenue could not remove trees beyond the 675 foot topography line. Mr. Burgin clarified a legislative process would be required to make changes to the topography line.

Mayor Alexander stated she wanted as many trees as possible to be left in the area and to only grade what is necessary for the detention pond.

Mr. Hardin asked about the feasibility of demolishing, stabilizing, and reconstructing Fire Station 3 on its current site. Mr. Burgin explained additional property would have to be purchased, and a retaining wall constructed to rebuild Fire Station 3 at its current location. He noted there would be additional expense regarding the uncontrolled fill on which the building was constructed. He indicated the City has borings from a previous study that determined the site has 17 feet of uncontrolled fill that would have to be removed and replaced. He stated rebuilding the fire station at its current location does not improve efficiency, and the City would spend a year without Fire Station 3 during construction.

Mr. Hardin asked about the date to break ground. City Manager Lane Bailey noted it is anticipated that the ground breaking will be in three years according to the Capital Improvement Plan (CIP). He explained Fire Station 6 would be constructed first because there is no fire station at that location, and it creates the biggest coverage gap. Mr. Hardin asked about the sense of urgency. Mr. Burgin noted of the five sites initially being considered for Fire Station 3, three were sold to other individuals. He added he does not know when Mr. Bunker and Mr. Wong might sell their property to someone else. He commented the lots are available, and the City has the option to purchase the property.
Mr. Miller thanked staff for its presentation and explaining why the site is superior to other sites. He thanked Mr. Burgin for his presentation and for analyzing the data and providing input. He added Mr. Burgin’s testimony demonstrated the impact of any other site would be greater than the impact at Mahaley Avenue. He commented positioning the siren away from the residential neighborhood is critical. He added some accommodations such as making sure the easement is to the side of the property, rounding the back of the parcel so it is nine feet from the turn radius, removing the hard corner and reducing the height of the wall and its closeness to the rear property line is an acceptable compromise. He added a 15-foot buffer along the back of the site would guarantee complete vegetative screening within three years in addition to the natural vegetation that can be left. He added there are reasonable ways to address neighborhood concerns and the greater community need to site the fire station. He pointed out Council does not want to damage anyone’s quality of life, but Mahaley Avenue is a superior site for Fire Station 3.

Ms. Blackwell stated Council’s Code of Ethics states it cannot make up its mind until all the information is presented, and Council has a responsibility to study the information it receives on an item. She stated after hearing Mr. Burgin’s presentation she realized many more houses will be affected by the decision than those on Lilly Avenue and everyone deserves the best fire coverage the City can provide.

Mr. Miller stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property as described here in by establishing a Conditional District Overlay is reasonable, in the public interest and consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan as it relates to promoting safe neighborhoods, supporting a compact urban design, provides for more efficient services, and the architecture and design of the site are a pleasant addition to the neighborhood and City. Thereupon, Mr. Miller made a motion to adopt an Ordinance amending the Land Development Ordinance and Land Development District Map of the City of Salisbury, North Carolina rezoning three parcels at 150, 154, 156, and 160 Mahaley Avenue to Residential Mixed-Use (RMX) District and establishing a Conditional District Overlay to all of 150, 154,156 and 160 Mahaley Avenue to permit the development of a new Fire Station 3 with the following conditions added: 1) the petitioner, the City, shall provide a revised landscape plan that shows a 15-foot buffer along the entire back property line including the parcel labeled 160 Mahaley Avenue 2) the petitioner provide a revised site plan showing the change to the back corner of the retention wall and 3) no clearing or grading occur below the 675 foot contour elevation line subject to the acceptance of the adjacent property owner.

Mr. Mitchell asked if Council is requesting the proposed landscape plan be extended to include the entire conditional district boundary or if a standard 15-foot buffer be used. Mr. Miller stated the proposed landscape plan better protects the neighborhood. Mr. Mitchell asked if the retaining wall will follow the path of the largest apparatus or if the wall will be curved. Mr. Burgin noted the wall will be parallel to the back of the building and nine feet from the far line wall.

Mr. Miller asked if the neighborhood has a preference regarding the wall design. Mr. Burgin stated if the wall is a terrace it would follow the original shape and the taller part would be straight. He stated the wall will be the same height, but farther away from the property line. Mr. Miller indicated being farther from the property line is preferred and asked to remove the terrace
option. He added he agrees with the City Manager signing off on the changes being met without bringing it back before Council. By consensus, Council agreed.

Mr. Bailey stated he will speak with the neighborhood to make sure the City has met its spirit of the agreement.

Mr. Mitchell clarified the changes brought by the Planning Board are to be included in the proposal. Council agreed. Mr. Mitchell asked about the lighting. Mr. Miller added 4) reducing the lights to a maximum 25-foot and 5) changes to be approved by Mayor and City Manager once the drawings are provided.

Ms. Blackwell asked if the type of tree needs to be specified. Mr. Burgin stated a Little Gem Magnolia was selected. He pointed out the trees should grow one to two feet per year after it adjusts to relocation. Ms. Blackwell asked about the height of the tree at purchase. Mr. Burgin stated the trees must be six-feet tall.

Ms. Blackwell seconded the amended motion.

Mr. Miller, and Mses. Alexander and Blackwell voted AYE and Mr. Hardin voted NAY. (3-1)

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

(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page Nos. 174-175, and is known as Ordinance 2017-53.)

**It will be necessary to have a second reading on the above Ordinance due to the lack of an affirmative vote of two-thirds of all members of the City Council required to pass an Ordinance at its first reading

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

POLICE VIDEO/AUDIO CAPTURE SYSTEM

Chief Stokes pointed out there was money allocated in the current budget to increase the number of body cameras. He indicated the current vendor is not working out due to too many hardware and software issues. He requested to use Axon Enterprises to provide a better system that will integrate with the Sheriff’s Office and District Attorney’s Office.
Chief Stokes indicated the request for Phase One will include body cameras and in-car cameras. He informed Council the audio and interview room will be included in Phase Two. Chief Stokes pointed out Phase Two would be partially covered by Justice Assistance Grant (JAG) with the remaining funds coming from budget.

Mayor Alexander referred to the funds that were donated for body cameras.

City Manager Lane Bailey noted the City is getting more for the trade-in of the existing body cameras. Mr. Bailey stated he had a conversation with donor, and she agreed with the trade-in to allow the City to have better equipment.

Councilmember Post expressed his concern about having to use Fund Balance in the first quarter of the fiscal year. Mr. Bailey informed Council the City currently has a strong Fund Balance.

AN ORDINANCE AMENDING THE 2017-18 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE VIDEO AND AUDIO CAPTURE SYSTEM.

(The above Ordinance is recorded in full in Ordinance Book No. 26 at Page No. 176, and is known as Ordinance 2017-54.)

Thereupon, Ms. Blackwell made a motion to make changes to the agenda presented. Mr. Post seconded the motion. Messrs. Hardin, Miller and Post, and Mses. Alexander and Blackwell voted AYE. (5-0)

BOARDS AND COMMISSIONS

Transportation Advisory Board

Upon a motion by Ms. Blackwell, seconded by Mr. Miller, and with Messrs. Hardin and Post, and Ms. Alexander voting AYE, the following appointment was made to the Transportation Advisory Board:

Ms. Jeannette Hunter  Term Expires 3/31/20

CITY MANAGER’S COMMENTS

There were no comments.
MAYOR’S ANNOUNCEMENTS

(a) Salisbury Summer Skate Jam

Mayor Alexander announced Parks and Recreation will host the first ever Salisbury Summer Skate Jam Saturday, September 23, 2017 from 11:00 a.m. until 2:00 p.m. at the Salisbury Civic Center, 315 Martin Luther King, Jr. Avenue. There will be food, music, prizes, and skate apparatus. Protective gear in the form of a helmet, elbow and knee pads is mandatory. Everyone interested in skating and skateboarding is invited and encouraged to bring a friend. This event is free and open to the public. For more information contact Parks and Recreation at 704-638-2139.

(b) La Fiesta de Rowan

Mayor Alexander announced the Hispanic Coalition, a subcommittee of the Human Relations Council, will host their annual La Fiesta de Rowan Saturday, September 23, 2017 from 12:00 p.m. until 6:00 p.m. in the 100 block of East Fisher Street. La Fiesta is a celebration of Hispanic/Latino culture through music, food, dance and much more and is a fun filled event that brings people of diverse backgrounds together to share the Hispanic/Latino customs and traditions. This is a family event that connects the community at large and provides agencies and businesses an opportunity to share their information and resources.

(c) Music at the Mural

Mayor Alexander announced Parks and Recreation will host the next installment of the “Music at the Mural” Concert Series Saturday, September 30, 2017 at 8:00 p.m. on West Fisher Street. Live entertainment will be provided by Knotty Pine. Bring a chair and enjoy music in the heart of downtown Salisbury. This event is free and open to the public.

(d) Community Action Planning Sessions

Mayor Alexander announced citizens who were involved in earlier Community Action Planning Sessions (CAPS) planning sessions, and any community members with an interest to be engaged, are invited to be a part of the formation of the CAPS Action Teams. The four focus areas are: Opportunities for children, Workforce Development, Public Safety and its relationship with its residents, and Community Relations. Team Orientation will be held Monday, October 2, 2017 at 6:00 p.m., at the Civic Center, 315 South Martin Luther King Jr. Ave. Team members who have not yet signed up for an Action Team, residents who have not attended previous events and are interested in serving, and/or those who cannot attend the meeting on Monday, October 2, 2017 should contact the CAPS team via email at CAPS@salisburync.gov or call (704) 638-4460.
(e) Family Camp Out

Mayor Alexander announced Parks and Recreation will hold its Family Camp Out Friday and Saturday, October 6 and 7, 2017 at Salisbury Community Park. Participants will enjoy nature sessions, fishing, camp fire with s’mores, an outdoor movie and more. Pre-registration is required. Campsites are $20 per family of 4. Limited tent rental is available. For more information, please call 704-216-PLAY.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Miller seconded by Mr. Post. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 9:29 p.m.

Karen Kirks Alexander, Mayor

Diane Gilmore, City Clerk