

Salisbury, North Carolina
August 17, 2010

REGULAR MEETING

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

ABSENT: None

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Mayor Pro Tem Blackwell.

PLEDGE OF ALLEGIANCE

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

RECOGNITION OF VISITORS

Mayor Kluttz recognized all visitors present.

WELCOME FORMER SALISBURY, ENGLAND COUNCILLOR HELENA MCKEOWN

Ms. Gail Elder White, Parks and Recreation Director, introduced Ms. Helena McKeown, her husband Peter and children Hugo, Isabel, and Katherine. Ms. Elder White pointed out the McKeown family was her host family during a 2008 visit to Salisbury England. Ms. McKeown thanked the City of Salisbury and its representatives, and Ms. Elder White and her husband Andy

for hosting them. Ms. McKeown indicated she hopes to increase exchange and visits between the two Cities because they have so much in common.

Mayor Kluttz stated she is grateful to have Salisbury, England as an official sister city. Mayor Kluttz noted that Reverend Julian Thomas and his wife recently visited from Salisbury, England on behalf of Churches United, and while here visited First Presbyterian Church and First United Church of Christ to invite them to join the organization and have an exchange between all the churches in both Cities. She stated she looks forward to visits from Salisbury, England Councillors in October. On behalf of Council, Mayor Kluttz presented Ms. McKeown with an official City plate and a Salisbury gift bag with various items.

RECOGNITION UNITED STATES ATTORNEY ANNA MILLS WAGONER

Mayor Kluttz recognized former United States Attorney Anna Mills Wagoner for her contributions to the City of Salisbury during her tenure in office. She stated in order to understand the significance of the honor, it is important to understand the history. Mayor Kluttz explained that in 2001 when Ms. Wagoner was appointed as a United States Attorney, Salisbury had an unusually high number of handgun murders, and Mayor Kluttz reviewed several incidents that happened throughout the City during that time. She noted that in January 2002, Council declared to take action against the gun violence, and shortly thereafter, Ms. Wagoner informed her of a new Federal program called Project SAFE Neighborhoods that was to be implemented in large United States cities. She pointed out Ms. Wagoner was unsure if Salisbury was large enough to qualify, and the program would require the City to form a community group that could speak candidly regarding racially sensitive issues. Mayor Kluttz stated Ms. Wagoner nominated Salisbury, and Salisbury was accepted, becoming one of the smallest Project SAFE cities in the United States.

Mayor Kluttz explained that the primary purpose for Project SAFE Neighborhoods is to stop gun violence in the community. She indicated the Project SAFE community group brings in first-time gun offenders who are more likely to be repeat offenders, and helps them understand there is hope without the use of a firearm. She stated the offender also meets with local, state and federal law enforcement officials who explain to them that, along with the offer to assist with childcare, education, employment, and housing, they are being warned that any additional offense involving a firearm or ammunition will lead to federal prosecution. She pointed out the Project SAFE Neighborhoods Committee was established in 2003, and 146 offenders have received this warning and help.

Mayor Kluttz indicated that during the eight years of existence, Project SAFE has worked to make the community better by communicating with the Police and Sheriff's Departments, the faith community, and court personnel. She stated that the program has also enabled the Salisbury Police Department to partner with major cities throughout North Carolina, as well as State and Federal law enforcement. Mayor Kluttz indicated the Project SAFE group's goal is to reach youth before gang affiliation, and noted this is the fifth year members will host Project SAFE Neighborhoods Family Day at the J.F. Hurley YMCA. She stated that a new initiative, Project Hope, has emerged from the Project SAFE Neighborhoods program where, 18 churches

in the community offer spiritual help, support, mentoring, and community events for those in fragile situations. She stated being designated as a Project SAFE Neighborhoods community has had far reaching effects on keeping the City safe.

Mayor Kluttz recognized the current members of Project SAFE Neighborhoods:

Ms. Susan Kluttz, Mayor
Mr. William Peoples, NAACP
Ms. Karen Carpenter, Youth Services Bureau, Inc.
Mr. David Treme, City Manager
Reverend Dr. Nilous Avery, Mt. Zion Baptist
Ms. Linda Beaty, Department of Corrections
Chief Rory Collins, Salisbury Police
Mr. Henry Diggs, Project SAFE Facilitator
Ms. Jackie Harris, Rowan County United Way
Mr. Zack Kyle, Human Resources Director
Mr. Doug Paris, Assistant to the City Manager
Ms. Hattie Mae Steele, concerned citizen
Ms. Ruth Kennerly, Multi-Cultural Director
Pastor Thomas Wyatt, Dorsett Chapel United Church
Mr. Rodney Nunn, concerned citizen
Mr. Quentin Woodward, concerned citizen
Mr. William Kennedy, Salisbury City Council
Detective Eric Williams, Salisbury Police
Ms. Susan Trexler, Piedmont Correctional Facility
Ms. Helen Leak, Piedmont Behavioral Healthcare
Mr. Bill Kennerly, Rowan County District Attorney
Ms. Teresa Vinson, Community Resource Specialist
Lieutenant Chad Moose, Rowan County Sheriff's Department
Reverend Clary Phelps, Gethsemane Missionary Baptist Church
Reverend Dr. Grant Harrison, Soldiers Memorial AME Zion Church
Reverend Glen Usry, Christian Outreach at Livingstone College
Mr. Bill Fisher, Rowan County Department of Community Corrections
Dr. Walter Hunt, Associate Superintendant of Rowan Salisbury Schools
Ms. Kecia Barnes, Department of Juvenile Justice and Delinquency Prevention
Ms. Elizabeth Fields, Director of Salisbury Rowan Community Action Agency
Ms. Catherine Combs, Rowan County Department of Community Corrections
Mr. Tim Smith, former Director of Student Services for Rowan-Salisbury Schools

Mayor Kluttz indicated the group comes together regularly, and works hard to keep the community safe.

Mayor Kluttz then presented Anna Mills Wagoner a Key to the City, and noted this is the highest honor a citizen can receive. She indicated Ms. Wagoner could have worked with a larger City, but remained involved, supportive, and willing to help Salisbury.

Ms. Wagoner commented that she only presented the concept, and the City understood the idea, and made a great program for the City. She pointed out the Project SAFE

Neighborhoods Community Group shows what happens when a community works together and leaves egos at the door. She stated she looks forward to continuing to work with Project SAFE Neighborhoods in Salisbury.

Mayor Kluttz stated she is grateful to Ms. Wagoner and to everyone serving on the committee.

PRESENTATION REGARDING THE UPCOMING PROJECT SAFE NEIGHBORHOODS “BACK TO SCHOOL” FAMILY DAY

Ms. Jackie Harris, Rowan County United Way and Project SAFE Neighborhoods Member, and Ms. Teresa Vinson, Community Resource Specialist and Project SAFE Neighborhoods Member, addressed Council regarding the Project SAFE Neighborhoods “Back to School” Family Day. Ms. Vinson indicated the fifth Project SAFE Family Day will be held August 28, 2010 from 10:00 a.m. until 12:00 noon at J.F. Hurley YMCA, 828 Jake Alexander Boulevard. She noted Family Day events include a visit from McGruff the Crime Dog, free food, and free school supplies for the first 500 children who attend. Ms. Harris thanked the J.F. Hurley YMCA for hosting the event each year, and reviewed the information for workshops to be offered:

- Gangs Are Recruiting Your Children
- What Do You Do When Your Child’s World Changes?
- Let’s Talk About Bullying

Ms. Harris indicated there will be a drawing for a Nintendo Wii Gaming System and various other prizes.

Ms. Harris thanked Ms. Teresa Vinson, Ms. Karen Carpenter, Ms. Carol Ann Halp, Ms. Karen Peck Harris, Ms. Sandy Flowers, Chief Rory Collins, and Officer Ann Cooper for their work with the event. She invited the community to attend the event.

Mayor Kluttz encouraged the public to attend, and thanked everyone involved.

PRESENTATION REGARDING THE D.A.R.E. PROGRAM IN ROWAN-SALISBURY ELEMENTARY SCHOOLS

Officer Ann Cooper, Salisbury Police Department, and Mr. Zion DuBose from Overton Elementary School, addressed Council regarding the D.A.R.E Program in Rowan-Salisbury Elementary Schools. Officer Cooper explained the mission and vision of D.A.R.E:

- Mission - Teaching students good decision-making skills, helping them to lead Safe and healthy lives
- Vision – A world in which students everywhere are empowered to respect others and choose to lead lives free from violence, substance abuse, and other dangerous behaviors

Officer Cooper indicated approximately 250 students receive the D.A.R.E educational training each school year in Salisbury. She reviewed the positive impact the program can have on youth:

- Confidence needed to make good decisions when faced with hard choices
- Time to spend with law enforcement in a non-threatening environment and have their questions answered
- Time to learn and discuss the facts of drugs, gangs, and violence
- Role-play for the students, using real-life situations

Officer Cooper indicated the D.A.R.E program is not a stand-alone program, but gives children the tools needed to make good choices in life. She stated D.A.R.E graduation is held at the end of the training, and each student must write and read an essay indicating their commitment to remain drug and violence free. Officer Cooper introduced Mr. DuBose who wrote the winning essay from his class. Mr. DuBose read his winning essay to Council.

Mayor Kluttz indicated she was very impressed with Mr. DuBose's maturity and his ability to learn from his mistakes. She pointed out she feels it is important for citizens to understand the significance of the D.A.R.E program. Council recognized the Mr. DuBose's family, and congratulated him on his work.

Mayor Kluttz thanked Officer Cooper and the Salisbury Police Department for their support.

UPDATE REGARDING THE SALISBURY-ROWAN READS! EVENTS

Ms. Karen Wilkinson, Director of Public Information and Communications, updated Council regarding the last two Salisbury-Rowan READS! events that took place Wednesday, August 4, 2010, at the South Branch Public Library in China Grove, and Wednesday, August 11, 2010, at the Cleveland Elementary School in Cleveland. Ms. Wilkinson thanked all staff, volunteers, and citizens who made the program a success. She stated over 2,500 individuals throughout the County actively participated in the summer reading program. Ms. Wilkinson shared a video highlighting the events.

Mayor Kluttz thanked Ms. Wilkinson for coordinating all of the events. She stated the partners for the events will be recognized at Council's next meeting.

PROCLAMATIONS

Mayor Kluttz proclaimed the following observances:

WELLNESS DAY	August 21, 2010
CAMPUS FIRE SAFETY MONTH	September 2010

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of August 3, 2010.

(b) Budget Ordinance

Adopt a budget Ordinance amendment to the FY2010-2011 budget in the amount of \$14,484 to appropriate Police Restricted Controlled Substance Tax funds to upgrade budgeted mobile data units for the Salisbury Police Department.

AN ORDINANCE AMENDING THE 2010-2011 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NC TO APPROPRIATE RESTRICTED FUNDS.

(The above Ordinance is recorded in full in Ordinance Book No. 22 at Page No.89, and is known as Ordinance 2010-37.)

(c) Temporary Street Closure

Close the 100 and 200 blocks of North Main Street from 6:00 p.m. until 8:00 p.m., and the 100 block and a portion of the 200 block of West Fisher Street from 1:00 p.m. until 10:00 p.m. Friday, September 3, 2010, for the United Way Kick-Off events.

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

RESOLUTION – UPDATED ROWAN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

Mr. Frank Thomason, Rowan County Chief of Emergency Services, updated Council regarding the Rowan County Multi-Jurisdictional Hazard Mitigation Plan. Mr. Thomason explained the Plan:

- A document that addresses a community's risk to natural (and optionally, man-made) hazards
- Process
 - Hazard Identification – what hazards are out there?
 - Hazard Profile – what are the chances of being hit?
 - Vulnerability – if we get hit, then how bad will it be?
 - Capability – what can we do?
 - Develop Goals and Actions – what will we do?
 - Adoption
 - Implementation

Mr. Thomason reviewed the Hazard Mitigation Planning process:

- Risk Assessment
 - Identifying Hazards
 - Profiling Hazards
 - Assessing Vulnerability
- Mitigation Strategy
 - Capability Assessment
 - Local Hazard Mitigation Goals
 - Identification and Analysis of Mitigation Actions
 - Implementation of Mitigation Actions
- Plan Maintenance Process
 - Monitoring, Evaluating, Updating
 - Incorporating into Existing Planning Mechanisms
 - Continued Public Involvement
- Adoption by Local Governing Body
 - Adoption of Plan Update required
 - Resolution by Governing Body
 - Required by FEMA for approval

Mr. Thomason assessed the benefits of the Plan:

- Disaster Mitigation Grant eligibility
- Disaster Recovery Funding
 - Individual Assistance Grants
 - Small Business Administration Grants
 - Public Assistance Disaster Funding

Mr. Thomason indicated staff reviews various options the community can participate in individually, or as a whole, to reduce or eliminate hazards. He pointed out he is proud that all of the communities across the County participate in the National Flood Insurance Program.

Mr. Thomason thanked Council and City staff for its assistance in the process.

Thereupon, Mr. Kennedy made a **motion** to adopt a Resolution approving the Multi-Jurisdictional Hazard Mitigation Plan. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

Mayor Kluttz indicated Council appreciates the excellent job Mr. Thomason does for the City and County.

RESOLUTION – MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

(The above Resolution is recorded in full in Resolution Book No. 13 at Page No. 12, and is known as Resolution 2010-12.)

CONTRACT MODIFICATION - ERICSSON FEDERAL, INC.

Mr. Mike Crowell, Director of Broadband Services, addressed Council regarding the modification of an existing contract with Ericsson Federal, Inc. Mr. Crowell indicated the primary contractor for the Fiber to the Home project, Ericsson Federal, Inc., will be unable to meet its delivery commitment date, and has offered a modified contract. He stated Ericsson is proposing a change order, and the proposed amount of the contract will be \$1,759,218, which is a reduction of \$2,141,999. Mr. Crowell requested Council approve the change order.

Thereupon, Mr. Woodson made a **motion** to authorize the City Manager to execute a change order in the amount of \$2,141,999.31 to reduce the contractual amount awarded November 17, 2009 to Ericsson Federal, Inc., or sign a revised contract in the amount of \$1,759,218.31 to reflect this reduction. Mr. Kennedy seconded the motion, and indicated it is very important to move forward because citizens are getting excited about Fibrant. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

RESOLUTION AUTHORIZING A SOLE SOURCE PURCHASE OF AN IP TELEVISION SYSTEM

Mr. Mike Crowell, Director of Broadband Services, and Mr. John Sofley, Management Services Director, addressed Council regarding a sole source purchase of an Internet Protocol (IP) Television System. Mr. Crowell explained that since Ericsson Federal, Inc. will be unable to complete the Fiber to the Home project on time, staff has worked to implement an alternative middleware solution. He indicated staff requests entering into a contract with Minerva Networks, who is a sole source vendor, because they are the only company that could operate with the existing equipment installed to date by Ericsson Federal, Inc. He pointed out that approximately one year ago, staff considered Minerva Networks, but at that time Minerva Networks did not offer certain specific features. He noted that in the past year Minerva Networks has become a major competitor in middleware, and can provide "Over the Top Video" which is supplied through the internet by incorporating video into the middleware, giving the consumer access to internet content through the television. Mr. Crowell requested Council approve the contract with Minerva Networks.

Mr. Sofley stated this bid was properly advertised and the new contract amount is less than the change order amount from Ericsson Federal, Inc. Councilman Woodson asked if Minerva Networks is ahead of Ericsson in regards to what it can offer. Mr. Crowell responded he thinks Minerva is ahead of Ericsson.

Thereupon, Mr. Woodson made a **motion** to adopt a Resolution authorizing the purchase of an IP Television System Agreement in the amount of \$1,170,805 to Minerva Networks for the City's Fiber Optic Network Program. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

RESOLUTION AUTHORIZING THE PURCHASE OF AN IP TELEVISION SYSTEM AGREEMENT FOR THE CITY'S FIBER OPTIC NETWORK PROGRAM.

(The above Resolution is recorded in full in Resolution Book No. 13 at Page No. 13, and is known as Resolution 2010-13.)

RESOLUTION AWARDING A CONTRACT TO JMA COMMERCIAL INTERIORS

Mr. John Sofley, Management Services Director, addressed Council regarding awarding a contract to JMA Commercial Interiors for the purchase of furniture for the new Customer Service Center. Mr. Sofley stated the North Carolina General Statutes authorize local governments to make purchases without a separate bidding procedure from any supplier who has been selected through a group purchasing program. He explained it must be a formally organized program that offers competitively obtained purchasing services at a discount to two or more public agencies. He stated staff has identified a budget of \$150,000 for furniture and equipment for the new facility. Mr. Sofley noted this provider meets the exact needs of the project, and requested Council authorize the contract.

Thereupon, Mr. Miller made a **motion** to adopt a Resolution authorizing the purchase of Teknion office furniture and equipment for the Salisbury Customer Service Center, in an amount not to exceed \$150,000. Mr. Woodson seconded the motion. Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Klutz voted AYE. (5-0)

RESOLUTION AUTHORIZING THE PURCHASE OF TEKNION OFFICE FURNITURE AND EQUIPMENT FOR THE SALISBURY CUSTOMER SERVICE CENTER.

(The above Resolution is recorded in full in Resolution Book No. 13 at Page No. 14, and is known as Resolution 2010-14.)

SPECIAL USE PERMIT TO AT&T ANTENNA ON TOWER LOCATED AT 735 JAKE ALEXANDER BOULEVARD

Mr. Randall Moran, Information Technologies Manager, addressed Council regarding a Special Use Permit for AT&T to co-locate an antenna on a City-owned tower. Mr. Moran stated AT&T is requesting to place an antenna on an existing tower located at 735 Jake Alexander Boulevard. He indicated Chapter 26 of the Salisbury City Code governs antenna location, and AT&T has provided all documentation and is in compliance with the Code. He requested Council issue a special use permit to AT&T for antenna location.

Thereupon, Ms. Blackwell made a **motion** to issue a special use permit to AT&T for co-location of an antenna on an existing tower located at 735 Jake Alexander Boulevard, in accordance with Chapter 26 of the Salisbury City Code. Mr. Woodson seconded the motion. Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Klutz voted AYE. (5-0)

SPEED LIMIT REDUCTION - DOGWOOD LANE AND BEACHNUT LANE

Mr. Dan Mikkelson, Engineering and Development Services Director, addressed Council regarding speed limit reduction on Beachnut and Dogwood Lanes. Mr. Mikkelson stated staff received a petition from Beachnut Lane and Dogwood Lane residents requesting a 25 mph speed limit. He noted the neighborhood is located off Morlan Park Road and isolated so there is no anticipation of through traffic. Mr. Mikkelson indicated staff is in favor of the petition.

Thereupon, Mr. Kennedy made a **motion** to adopt an Ordinance amending Section 13-336, Article X, Chapter 13 of the Code of the City of Salisbury, relating to speed limits - generally. Mr. Woodson seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING SECTION 13-336, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO SPEED LIMITS-GENERALLY.

(The above Ordinance is recorded in full in Ordinance Book No. 22 at Page No. 90, and is known as Ordinance 2010-38.)

AGREEMENT - CLOSING OF THE HORAH STREET AT-GRADE RAILROAD CROSSING

Mr. Dan Mikkelson, Engineering and Development Services Director, addressed Council regarding the closing of the Horah Street at-grade railroad crossing. Mr. Mikkelson stated that in January 2010, Council held a public hearing and adopted an Order to close the Horah Street at-grade railroad crossing. He indicated staff has been waiting for an agreement between the City of Salisbury, North Carolina Department of Transportation (NCDOT), Norfolk Southern Railroad, and North Carolina Railroad indicating Norfolk Southern Railroad will make an incentive payment of \$42,000 to the City; NCDOT will resurface Monroe Street; and NCDOT and Norfolk Southern will install upgrades to improve safety at the Monroe Street railroad crossing. He pointed out that once these improvements are made, the City can apply to the Federal Railroad Administration for a quiet zone between Henderson Street and Klumac Road. He requested Council authorize the execution of the agreement.

Councilman Kennedy asked if the \$42,000 incentive can be used at the City's discretion. Mr. Mikkelson responded this is correct. Mr. Kennedy asked if the funds will be used for the Lincoln Park area. Mr. Mikkelson responded that Council has stipulated these funds be used for the Lincoln Park area, although the agreement does not point that out.

Mayor Pro Tem Blackwell asked if the application for the quiet zone will be submitted after the execution of the agreement. Mr. Mikkelson responded that it will. Ms. Blackwell asked if there is an estimate on the timeframe for the submission. Mr. Mikkelson responded there is no timeframe for the submission of the quiet zone application.

Ms. Blackwell indicated she noticed the agreement stipulates the City will maintain plantings in crosswalks, and asked if staff has devised a plan to maintain these plantings. Mr. Mikkelson indicated the design of the plantings will be prepared by NCDOT, and the City's

Landscape Operations office will review the plan. He stated if the plan is approved, the maintenance of the plantings will be incorporated into the landscape work plan.

Councilman Woodson indicated citizens have expressed concern that this closure will make the Horah Street neighbors feel cut-off from the community.

Mayor Kluttz noted that there have been several neighborhood meetings regarding the closing over the last several years, and stated she applauds staff for asking for the \$42,000 incentive. She added that when high-speed rail comes through Salisbury the crossing could have been closed with no incentive. She indicated it is inconvenient when a crossing is closed, regardless of the location.

Thereupon, Mr. Miller made a **motion** to authorize the Mayor and City Clerk to execute an agreement with the North Carolina Department of Transportation, Norfolk Southern Railway Company, and North Carolina Railroad Company regarding the closing of the Horah Street at-grade railroad crossing. Project Y-4809A. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

RESOLUTION – ESTABLISHING THE DIXONVILLE CEMETERY MEMORIAL – PROJECT SCOPE AND OUTLINE

Ms. Janet Gapen, Senior Planner, addressed Council regarding a Resolution of Legislative Intent establishing the Dixonville Cemetery Memorial Project Scope and Outline. Ms. Gapen stated the Dixonville Cemetery is one of the City's oldest African-American cemeteries, and includes more than 450 documented burials, with the oldest known burial dated to 1851. She pointed out Council included the Dixonville Cemetery in its FY2010-2011 goals; specifically to establish a task force that would guide the process of developing a site plan for future improvements at the cemetery, and most importantly for the creation of a memorial to list the names of those buried.

Ms. Gapen noted Council officially appointed a task force June 15, 2010, and the task force has convened for one meeting. She indicated the next step is to adopt a Resolution of Legislative Intent to establish the purpose, goal and process for the project. She noted the task force has set its next meeting for Thursday, August 26, 2010 from 5:00 p.m. until 7:00 p.m. at First Calvary Baptist Church Fellowship Hall, 400 South Long Street. She pointed out the purpose of the meeting is to encourage citizens, particularly residents of the East End and Dixonville areas, to attend and participate in the process.

Mayor Kluttz stated this was set as a goal for the City because it is important for Salisbury. She indicated she feels there should be no unmarked graves in the City, and the people buried there should be honored. She pointed out it is important to hear from the community to make sure the history of the cemetery is included in the project.

Councilman Kennedy stated the cemetery has been improved and markers have been

placed as dedications, and this is the next step to continue improvements to the cemetery.

Thereupon, Mr. Woodson made a **motion** to adopt a Resolution of Legislative Intent establishing the Dixonville Cemetery Memorial – Project Scope and Outline. Ms. Blackwell seconded the motion. Councilman Miller asked when the Resolution of Legislative Intent is used. City Manager David Treme stated it is a policy document used by City Council, when a task force or committee is formed, to outline procedures in order to stay focused on the task that has been assigned. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

RESOLUTION OF LEGISLATIVE INTENT ESTABLISHING THE DIXONVILLE CEMETERY MEMORIAL – PROJECT SCOPE AND OUTLINE.

(The above Resolution is recorded in full in Resolution Book No. 13 at Page No. 15, and is known as Resolution 2010-15.)

RESOLUTION SUPPORTING A SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT BY CENTRALINA COUNCIL OF GOVERNMENTS

Mr. Doug Paris, Assistant to the City Manager, addressed Council regarding a Resolution to support a Sustainable Communities Regional Planning Grant by Centralina Council of Governments (COG). Mr. Paris indicated that over the last several years Council has directed staff to pursue Federal funding opportunities to help enhance the City, and during that time more than \$4,000,000 has been received from grants.

Mr. Paris pointed out the applicant for the Sustainable Communities Regional Planning Grant is the COG, and the Resolution before Council, if adopted, will express Council's support for COG's application for United States Housing and Urban Development (HUD) funding. He stated if COG receives funding, it will allow them to fund a regional plan. He indicated that HUD, the United States Department of Transportation, and the Environmental Protection Agency have indicated that agencies with plans in place are better positioned to receive Federal funding in the future. Mr. Paris stated the values outlined in the planning grant align well with the City's planning efforts regarding sustainability. He requested Council adopt the Resolution.

Thereupon, Ms. Blackwell made a **motion** to adopt a Resolution of the City of Salisbury in support of the Sustainable Communities Regional Planning Grant. Mr. Woodson seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

RESOLUTION OF THE CITY OF SALISBURY IN SUPPORT OF THE SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT.

(The above Resolution is recorded in full in Resolution Book No. 13 at Page No. 16-17, and is known as Resolution 2010-16.)

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

This item was postponed.

PUBLIC COMMENT

Mayor Kluttz opened the floor to receive public comment.

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

COMMENTS FROM THE CITY MANAGER

(a) Temporary Street Closure

City Manager David Treme stated staff received a request for a temporary street closure for a community event from Outreach Christian Ministry. The request is to close the 700 block of West Horah Street Saturday, August 21, 2010 from 10:00 a.m. until 2:00 p.m. for the Community Day event.

Thereupon, Mr. Kennedy made a **motion** to close the 700 block of West Horah Street August 21, 2010 from 10:00 a.m. until 2:00 p.m. Mr. Woodson seconded the motion. Messrs. Kennedy, Miller, Woodson, and Mses. Blackwell and Kluttz voted AYE. (5-0)

(b) Update on Shober Bridge

City Manager David Treme stated that Shober Bridge has been an issue for the City for many years, but the City has had little success moving the issue forward. He indicated Council began to re-address the issue about a year ago, and during the process there have been numerous contacts with Norfolk Southern Railroad to achieve a consensus on how to proceed with the Shober Bridge. He expressed his frustrations that after all of this time, the issue has remained stagnant. He indicated from the City's standpoint, there needs to be a bridge that can be designed to carry a fire truck, is cost effective, has no adverse financial impact for the City, and is eligible for replacement and maintenance funds from North Carolina Department of Transportation. He noted that despite staff's best efforts the project has not moved forward, and there has been no response from Norfolk Southern Railroad regarding this issue.

Mayor Kluttz stated she is very frustrated and feels Council has been patient while Norfolk Southern Railroad remains unresponsive. She pointed out she appreciates all Mr. Dan Mikkelson, Engineering and Development Services Director, has done to obtain answers from Norfolk Southern Railroad. She indicated she thinks Council cannot continue to wait in regards to the future of the Shober Bridge, and recommended Council take a position that it wants to rehabilitate the Shober Bridge. She noted her recommendation for rehabilitation comes with the conditions that the bridge be able to hold a fire truck or any type of emergency vehicle, and the bridge must be able to qualify for outside funding at least equal to what it could be replaced for, including maintenance. Mayor Kluttz asked Council's support to instruct staff to pursue funding for rehabilitation, and noted she will send a letter to Norfolk Southern Railroad indicating

Council has taken the position to rehabilitate the bridge, and allow Norfolk Southern Railroad 60 days to respond. She indicated the issue has been with a Council Committee, but when it came to Council from the Historic Salisbury Foundation, it brought the issue back to the entire Council.

Councilman Kennedy stated he supports rehabilitation, if it meets the two conditions noted by the Mayor.

Councilman Woodson indicated he can support the rehabilitation. He pointed out he has spoken to many people with a passion for the bridge, noting Shoher Bridge is one of four to five humpback bridges remaining in North Carolina. He indicated he researched the Shoher Bridge and feels the support beams are original, and the wood supporting the bridge appears to be approximately 100 years old. He stated he learned a lot about the bridge and respects those who have a passion for it. He pointed out he wants the bridge to be safe and cost effective, and he supports the Mayor's recommendation.

Mayor Pro Tem Maggie Blackwell stated she supports the Mayor's plan, and feels it is the right thing to do. She indicated Council should set its own timeframe rather than trying to be responsive to Norfolk Southern Railroad's timeframe, because she feels Council has given them enough time.

Councilman Miller indicated Council has a fiduciary responsibility to manage the City's finances, and he can support the rehabilitation with the condition that it be financially feasible. He thanked Mayor Kluttz for her work on this issue.

Thereupon, Ms. Blackwell made a **motion** to issue a letter to Norfolk Southern Railroad stating our position in favor of rehabilitating Shoher Bridge, as long as we find that alternative to be financially responsible and provides safety to accommodate emergency vehicles, and to state our intent to move forward in 60 days. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

MAYOR'S ANNOUNCEMENTS

(a) Brick Street Concert Series

Mayor Kluttz announced the Brick Street Concert Series on Fisher Street will present General Johnson and Chairmen of the Board Thursday, August 19, 2010 at 7:30 p.m.

(b) Dixonville Cemetery Task Force

Mayor Kluttz announced the Dixonville Cemetery Task Force will hold a meeting Thursday, August 26, 2010 from 5:00 p.m. until 7:00 p.m. at the First Calvary Baptist Church Fellowship Hall located at 400 South Long Street. The meeting will be to collect oral history and to receive input from neighborhood residents and citizens regarding the design of a Dixonville Cemetery Memorial.

(c) Kids Night Out

Mayor Kluttz announced that Downtown Salisbury, Inc. will host Kids Night Out Friday, September 3, 2010 from 5:30 p.m. until 9:00 p.m. in downtown Salisbury.

(d) Parks and Recreation Afterschool Program

Mayor Kluttz announced the Salisbury Parks and Recreation Department is now accepting registrations for the afterschool program at the Miller Recreation Center and City Park Recreation Center. Please call 704-638-5291 for more information.

(e) Thanks to City Employees

Mayor Kluttz noted it has been an exceptionally hot summer, and thanked City staff who worked long, hot days outside with no complaints, and provided excellent customer service for the City.

ADJOURN

Motion to adjourn the meeting was made by Mr. Woodson. Mr. Miller seconded the motion. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 5:42 p.m.

Susan W. Kluttz, Mayor

Myra B. Heard, City Clerk