

Salisbury, North Carolina  
September 3, 2019

## **REGULAR MEETING**

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

**ABSENT:** City Clerk Diane Gilmore.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Heggins at 6:03 p.m. A moment of silence was taken.

## **PLEDGE OF ALLEGIANCE**

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

## **RECOGNITION OF VISITORS**

Mayor Heggins welcomed all visitors present.

## **ADOPTION OF THE AGENDA**

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

## **PROCLAMATION**

Mayor to proclaim the following observance:

FIRST RESPONDERS DAY

September 11, 2019

Mayor Heggins read and presented the First Responders Day Proclamation to Fire Chief Bob Parnell and Police Chief Jerry Stokes.

## **RECOGNITION – ROWAN COUNTY LITTLE LEAGUE**

Mayor Heggins recognized Rowan County Commission Chair Greg Edds and Commissioners Judy Klusman and Jim Greene to come forward. Chairman Edds and members of the County Commission presented a proclamation to the Rowan County Little League softball team and coaches in honor of their World Series Championship win.

Mayor Heggins recognized members of the Rowan County Little League softball team and coaches for winning the Little League Softball World Series championship. She read and presented copies of a proclamation to each team member and presented a key to the City to Team Manager Steve Yang. Mr. Yang thanked the City and the County for their support of the Rowan County Little League Softball team.

## **CONSENT AGENDA**

(a) Minutes

Approve Minutes of the Regular meeting of August 6, 2019.

(b) Set Public Hearing – Project Team

Set a public hearing for September 17, 2019 regarding a 5% match totaling approximately \$5,000 for a Building Reuse Grant from the State of North Carolina to renovate an existing facility and create 19 new jobs.

(c) Budget Ordinance Amendment – Downtown Incentive Grants Appropriation

Adopt a budget Ordinance amendment to the FY2018-2019 budget in the amount of \$230,633 to appropriate General Fund balance for Downtown Incentive Grants awarded August 20, 2019.

ORDINANCE AMENDING THE 2019-2020 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRAITE GENERAL FUND BALANCE.

(The above Ordinance is recorded in full in Ordinance Book No. 28 at Page No. 197, and is known as Ordinance 2019-46.)

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

### **PUBLIC COMMENT**

Mayor Heggins opened the floor to receive public comments.

Ms. Melissa Eller thanked Council for their service. She asked Council to rename the dog park to Pitner Park for Dogs in honor of Teresa Pitner's work to make the park a reality.

Mr. Kim Porter stated he is a member of the Truth, Healing, Hope and Equity Commission in Salisbury. He commented he is seeking information regarding opportunity zones as a creative way for the community to enhance itself. He asked where the opportunity zones are located and how the City is addressing them.

Mayor Heggins asked for further information regarding opportunity zones. City Manager Lane Bailey noted the City is working with the Rowan Economic Development Commission (EDC) to obtain the information, and he added the North Carolina Department of Commerce designated the opportunity zones. He indicated a map and further information could be provided. Mayor Pro Tem Post commented he has information and is happy to meet with Mr. Porter.

Mr. David Hoyle noted he supports economic incentives for the Empire Hotel. He pointed out recent closings downtown were most likely impacted by the lack of neighboring businesses. He commented he supports the dog park being renamed Pitner Dog Park.

Ms. M.T. Sidoli noted the incentive packages approved for downtown lack affordable housing. She indicated it would be cost efficient to rehabilitate second floor space into single bedroom apartments or efficiencies. She noted providing college students with affordable downtown apartments would be an economic driver and enrich the community.

Mr. Michael Kirksey asked about sidewalks that were to be installed on West Monroe Street, and he commented it would be beneficial for the community to have sidewalks at this location. He thanked the Police Department for their service to the community.

There being no one else to address Council, Mayor Heggins closed the public comment session. She thanked everyone who spoke during the public comment session.

## UPDATE – CITY PARK LAKE

Parks and Recreation Director Nick Aceves and Landscape Architect Stephen Brown updated Council on City Park Lake improvements. Mr. Brown indicated the water quality in the lake is good and it contains four types of fish. He added ducks and geese have created a hydrilla problem which makes the algae worse. Mr. Brown commented a bathymetric study of the lake was conducted to measure the volume of sediment and concluded there is 6,900 cubic yards of sediment in the lake.

Mr. Brown reviewed estimates for hydraulic and mechanical dredging at City Park Lake, and he pointed out staff recommends Dragonfly Pond Works for the bid of \$218,385.45 for mechanical dredging along with an alternate 1 for a total bid of \$265,885.45. He indicated the mechanical dredging will take approximately two months to complete. He noted staff will drain the lake and the contractor will remove and relocate the fish and soil. He added the fish will be relocated outside of the City due to the chance hydrilla may be on the fish and contaminate other City lakes.

Mr. Brown pointed out mechanical dredging would allow for repairs to the dam and enhancements of sidewalks, a bridge, and a fishing pier to take place. He indicated trees will be removed but will be replaced. He pointed out there will be an odor while the lake is drained, and the construction site will be unsightly during the process. He added the weather could play a factor in the timeline for completion of the project.

Councilmember Miller asked about installing screens to prevent sediment from going into the lake. Mr. Brown noted fore bays will be installed around the inlets to trap sediment as the water enters the lake. Mr. Aceves pointed out removing trees and planting grass will deter water from washing out of the road over the bank. He added installing walkways will help mitigate the water into the channels to the fore bays.

Mayor Pro Tem Post asked how long the smell will linger and how far the smell will reach. Mr. Brown indicated the process would take approximately two months and the smell could possibly reach three to four blocks in each direction.

Councilmember Miller asked if residents will be notified. Mr. Brown agreed. Mr. Aceves indicated staff could go door to door to residents near the City Lake. Mayor Heggins noted information should be provided to the public regarding what will be taking place, and asking citizens to be patient as the City works to improve the lake.

Councilmember Alexander asked if there is a regulation or reason the fish have to be saved. Mr. Brown commented there is no specific reason the fish have to be saved. Mr. Aceves noted an alternative option could be for a fish give-away to take place. Mayor Heggins stated she is concerned about people consuming the fish. Mr. Brown noted the fish are safe to eat, and he pointed out the weeds are the issue. Mayor Heggins noted the City does not want to place contaminated fish in anyone else's pond, and she requested options be provided to Council on how the fish can be handled. Mr. Brown noted options will be provided to Council.

Mayor Pro Tem Post commented the bid does not include the removal of the trees, the purchase of new trees, or the cost of the walkway and bridge improvements. Mr. Brown agreed. Mr. Aceves indicated with the current bid there will be funds left over from what was budgeted to do some of the projects in house.

Thereupon, Councilmember Miller made a **motion** to award a contract to Dragonfly Pond Works in the amount of \$265,885.45 for mechanical dredging services. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Miller, Alexander, and Sheffield voted AYE. (5-0)

Councilmember Alexander asked if an amendment needs to take place since it the contract states the fish will be removed. Mayor Heggins pointed out Mr. Brown will come back with a plan regarding how the fish will be handled. Mr. Aceves noted the price will not change as the removal of the fish is included in the quote.

### **UPDATE – AUTOMATIC PASSENGER COUNTING SYSTEM**

Transit Director Rodney Harrison addressed Council regarding the estimated cost for an automatic passenger counting (APC) system. He reviewed the elements of a successful APC system. He pointed out an APC system analyzes bus routes and stops and provides statistics regarding passenger counts, vehicle maximum load, passengers per bus stop and on-time performance. He added the information is useful when preparing state and federal reports.

Mr. Harrison noted the estimated cost of the APC system is \$35,706 for three years which is \$25,410 for year one and \$5,148 each for years two and three. He pointed out the first year's costs includes equipment and installation charges. He stated the cost of the project is not included in the current budget.

Mayor Pro Tem Post referenced the cost estimate, and he pointed out years two and three include subscription and maintenance costs for six units. Mr. Harrison noted the APC system will be installed on a total of six vehicles. He explained the APC system can be transferred from one vehicle to another. Mr. Post requested clarification regarding the monthly subscription. Mr. Harrison explained the annual subscription fee is \$3,564, and he commented the cost is \$594 per bus per year. Mr. Post pointed out the cost of remote technical support is \$264 per bus per year. Mr. Harrison agreed, and he stated the annual cost is \$1,584.

Mayor Heggins questioned why the APC system was not included in the current budget. City Manager Lane Bailey explained there was a timing issue, and he noted staff has an estimate but has not bid the project.

Councilmember Sheffield asked if the APC system will help the City proceed with the Transit Master Plan. Mr. Harrison stated the APC system will help with the process, and he indicated Council requested specific information to help with decision making.

Councilmember Alexander asked if grant opportunities are available. Mr. Harrison stated he contacted the state, but there has not been a call for grants for software due to budget issues. He added the state does not have a date for when a call for projects will be made.

Ms. Alexander asked if there are any contingencies or savings in the Transit Budget that could be used for the APC system. Mr. Harrison noted he can discuss options to fund the system with the Finance Department.

Mr. Post noted the City spends approximately \$1.5 million of its budget on public transportation. Mayor Heggins pointed out once Council receives the bids it will have the information it needs to move forward with the APC system.

### **RESOLUTION – PUBLIC TRANSPORTATION GRANT APPLICATIONS**

Transit Director Rodney Harrison explained the North Carolina Department of Transportation (NCDOT) Public Transportation Division requires applicants to submit a resolution to apply for grant funding. He explained the unified resolution before Council will authorize the City to apply for state and federal funding when there is a NCDOT call for projects. He added the unified resolution can be used for multiple grants and will streamline the process.

Thereupon, Councilmember Alexander made a **motion** to adopt a Resolution authorizing applications for North Carolina Department of Transportation Public Transportation grants through state and federal programs. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Miller, Alexander, and Sheffield voted AYE. (5-0)

### **RESOLUTION AUTHORIZING APPLICATIONS FOR NORTH CAROLINA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION GRANTS THROUGH STATE AND FEDERAL PROGRAMS.**

(The above Resolution is recorded in full in Resolution Book No. 28 at Page No. 23-24, and is known as Resolution 2019-17.)

### **TRANSPORTATION APPLICATION**

Transit Director Rodney Harrison addressed Council regarding the North Carolina Volkswagen settlement program, Phase 1, which is the Diesel Bus and Vehicle Program. He explained the North Carolina Division of Air Quality and the North Carolina Department of Environmental Quality (NCDEQ) are seeking applications for their diesel bus programs that are designed to reduce diesel bus emissions. He explained the different phases of the program, and he noted the first phase will take place between 2018 and 2020.

Mr. Harrison stated the North Carolina Volkswagen settlement program is a reimbursement program. He explained the City will be responsible for purchasing the vehicles and will be reimbursed by NCDEQ if awarded the grant. He added NCDEQ may fully fund a Phase 1 project, but it reserves the right to partially fund projects.

Councilmember Miller asked if an application that includes local matching funds would have a better chance of receiving a grant. Mr. Harrison agreed. Mr. Miller noted there are people in the community who may partner with the City to help fund alternate vehicles. He asked if staff has reached out to potential partners. City Manager Lane Baily noted staff has not reached out to potential partners, but will do so.

Thereupon, Councilmember Miller made a **motion** to authorize Salisbury Transit to submit a grant application to the North Carolina Volkswagen Settlement Program to replace four 2004 buses with electric Light Transit Vehicles. The grant application may include up to 100% reimbursement or may include local matching support. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Miller, Alexander, and Sheffield voted AYE. (5-0)

### **CITY ATTORNEY'S REPORT**

City Attorney Graham Corriher had nothing to report to Council.

### **CITY MANAGER'S REPORT**

(a) **Roof Work at City Hall**

City Manager Lane Bailey stated the alleyway beside City Hall will need to be closed later this month to begin roof work at City Hall. He noted Council approved the roof work on June 18, 2019.

(b) **Public Hearing – Project Snowy**

City Manager Lane Bailey noted at the last Council meeting a public hearing was scheduled for Project Snowy, but the project was withdrawn from the state so that public hearing will not be held.

(c) **Salisbury-Rowan Utilities Debt Financing**

City Manager Lane Bailey indicated during the budget and Capital Improvement Plan (CIP) process debt financing for Salisbury-Rowan Utilities (SRU) was discussed. He explained the Finance Department is performing preliminary work that should be presented to Council in January or February 2020. He pointed out the City has not issued new debt in the SRU fund since 2008, and the fund should be able to carry the debt. He noted the information will be brought to Council once bids are received on the projects included in the CIP for the current fiscal year.

(d) Opportunity Zones

Mayor Heggins referenced opportunity zones, and she noted she would like for the City to be proactive regarding the opportunity zones that are located within its jurisdiction. She added the City needs to have a voice in the plan. City Manager Lane Bailey noted Downtown Salisbury, Inc. (DSI) is working with the County on the opportunity zones that extend beyond the City limits. Mayor Heggins noted the City will have a voice, but the prospectus belongs to the County.

Mayor Pro Tem Post explained the prospectus that the City of Columbia prepared was provided to City Manager Lane Bailey and the Rowan Economic Development Commission (EDC). He pointed out four of the opportunity zones in the County are also in the City limits. He added the document would allow the City to highlight the opportunity zones in the City without competing with the County.

Mayor Heggins pointed out some opportunity zones are not in the downtown and other voices need to be included in the conversation.

DSI Director Larissa Harper noted she is working with Planning Director Hannah Jacobson to get the descriptions within the City limits to the EDC. She added staff is looking at locations in the City other than downtown. Mayor Heggins stated she wants the discussion to be broad and include merchants and people who may live in an opportunity zone. Ms. Harper explained staff is working to identify the opportunity zones and talking with property owners who may be interested in developing their property in the future.

Councilmember Miller stated opportunity zones are based on census tracts that meet a certain criteria and enables someone to invest and receive a tax benefit to spur growth in the community. He questioned what the input of other voices will change since opportunity zones are census driven. Mayor Heggins stated other voices should be heard so the wealth is not stripped from the community. She added it should be a conversation for the entire City and not just for the investor.

Mr. Miller pointed out preparation is needed so if there is an investor the City is ready to accept the investment. He added it is important to identify where the conditions exist and to make sure it is communicated through printed or electronic material. He commented once a specific project is determined then land use and other things could include public input. Mayor Heggins noted equity is needed to move forward.

Mr. Post indicated opportunity zones are only about an investor because it allows an investor who has gains in other areas to invest the gains in an opportunity zone. He added the prospectus would highlight the opportunity zones. He pointed out there are severe time limits regarding how opportunity zones work, and the question is how to attract investors to Salisbury. He added it is difficult for cities to compete for investments with big cities such as New York and Chicago. He noted the best option is to prepare a prospectus, and he added the City will need to be proactive and look for investors who are willing to re-invest their gains in the City.



## **ANNOUNCEMENTS**

### (a) **Historic Preservation Incentive Grant Applications**

Communications Director Linda McElroy announced applications for the 2019-2020 Historic Preservation Incentive grants are now available. These matching grants are available on a competitive basis for exterior projects on owner-occupied houses in one of Salisbury's four residential historic districts: North Main Street, Brooklyn South Square, West Square and Ellis Graded School. To receive an application or ask questions about eligibility please call 704-638-5212. Applications are due by September 27, 2019.

### (b) **Brewbury Fest**

Communications Director Linda McElroy announced Brewbury Fest will be held in downtown Salisbury beginning with a craft beer crawl to participating businesses on Friday, September 20 from 5:00 p.m. until 9:00 p.m. Brewbury Fest continues on Saturday, September 21 with a craft beer festival at the Historic Depot from 3:00 p.m. until 8:00 p.m.

## **COUNCIL COMMENTS**

Councilmember Alexander asked City Engineer Wendy Brindle to provide an update regarding sidewalks in the City. Mayor Heggins ask for the information to be presented at a Council meeting so a full update can be provided.

City Manager Lane Bailey explained the specific project the citizen referenced is using Community Development Block Grant (CDBG) funds and is under design. He noted once the design is complete the project will be sent out for bids.

## **MAYOR PRO TEM COMMENTS**

Mayor Pro Tem Post had no comments.

## **MAYOR'S COMMENTS**

Mayor Heggins had no comments.

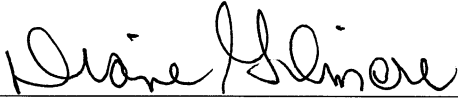
**ADJOURNMENT**

Motion to adjourn the meeting was made by Councilmember Miller. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 7:37p.m.



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Al Heggins, Mayor



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Diane Gilmore, City Clerk