

Salisbury, North Carolina

March 4, 2003

#### **REGULAR MEETING**

**PRESENT:** Mayor, Susan W. Kluttz, Presiding; Mayor Pro Tem, Paul B. Woodson, Jr.; Councilmen William (Bill) Burgin; Robert (Bob) Martin; City Manager,

David W. Treme; City Attorney, F. Rivers Lawther, Jr.; and City Clerk,

Myra B. Heard.

**ABSENT:** Councilman William (Pete) Kennedy

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by City Manager David Treme.

#### **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.

#### **PROCLAMATIONS**

Mayor Kluttz proclaimed the following observance:

MENTAL RETARDATION AWARENESS MONTH March 2003

#### **CONSENT AGENDA**

(a) Minutes

Minutes of the regular meeting of February 18, 2003 and Special Meeting (Retreat) of February 20 and 21, 2003.

Thereupon, Mayor Pro Tem Woodson **moved** to approve the Consent Agenda as read. Councilman Martin seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Kluttz voted AYE. (4-0)

#### **PUBLIC HEARING 2003-2004 - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME FUNDS**

(a) Mr. John Brooks, Community Development Consultant, informed Council that the budget process for the Community Development Block Grant (CDBG) will take place over the next several months. He noted that a public hearing was held at the Business and Community Center on February 13, 2003. The second public hearing will be held today with City Council.

Mr. Brooks explained that he will present a first draft budget to Council at their next meeting with a second draft to be presented April 1, 2003. The summary of the budget will be published in the Salisbury Post, and a final budget will be presented to HUD

(Housing and Urban Development) on May 15, 2003 for July 1, 2003 expenditures.

Mr. Brooks informed Council that the City of Salisbury will receive \$396,000 in CDBG funds for 2003-2004, which is an increase of \$22,000 from the previous year.

Mr. Brooks noted that this is the seventh (7<sup>th</sup>) year of funding with the HOME Consortium and Salisbury has received over \$900,000 since joining in 1996. This year the City of Salisbury will receive \$151,702.59. The HOME Consortium is comprised of City of Concord (lead agency), Cabarrus County, City of Salisbury, City of Kannapolis, City of Davidson, City of Statesville, and the City of Mooresville.

The HOME Consortium has received \$1,222,000 this year. Ten percent (10%) of the money is to be used for administration, and fifteen (15%) will be allocated to Community Housing Development Organizations (CHDO). This means that the Salisbury Community Development Commission (CDC) will receive an additional \$45,825 in addition to the \$151,702.59 allocation.

The total proposed budget for FY 2003-2004 is:

CDBG \$396,000.00

HOME \$151,702.59

Program Income \$120,000.00 (money received back from home loans)

**Total \$667,702.59**

(b) Mayor Klutz convened a public hearing, after due notice and advertisement thereof, on the proposed use of the FY 2003-2004 CDBG and HOME Funds.

Mr. Darrell Blackwelder, representing the North Carolina Extension Service Master Gardener's Association, requested \$5,000 for the West End Community Garden. He explained that approximately \$3,000 will be used for capital improvements, \$1,000 for materials and supplies, and \$1,000 for educational program materials. Mr. Blackwelder informed Council that they have received a \$5,000 grant from the Hurley Foundation and a grant from the Salisbury Civitans to build an enabling garden. He noted that the Master Gardeners Association hopes to increase youth participation this year.

Ms. Elizabeth Patton, Executive Director of Family Crisis Council, 131 West Council Street, requested funds to help provide a Resident Manager position at the shelter for victims of domestic violence. She reported that the shelter housed more than 2,700 women and had more than 46,000 service nights. She explained that the Resident Manager is critical to the operation of the shelter. The current Manager is a former victim of domestic violence and has been with the shelter since its opening in 1990. Ms. Patton asked Council for \$21,000 to help fund the Resident Manager position. She also thanked Council for their support.

Ms. Carolyn Peck, Executive Director of the Community Care Clinic, 315-G Mocksville Avenue, updated Council on the Community Care Clinic. Ms. Peck noted that the Clinic's financial and proposal information had been given to Mr. John Brooks. She reported that the Clinic receives requests from an average of 30 new families per week. This is in addition to the current database of over 23,000 patients. Ms. Peck pointed out that the Clinic is the only dental facility in Rowan County that provides free dental services to the low income, uninsured adult population. There are currently twenty-nine (29) dentists participating in the volunteer program. Ms. Peck reported that the Clinic has received \$350,000 of retail value in free medicines through the Community Medicine Program, for patients and senior citizens.

Ms. Tracy Castor, Community Care Clinic Board member, commented on the difference the services has made to the community and thanked Council for their consideration.

Ms. Dianne K. Scott, Executive Director of Rowan Helping Ministries, 226 North Long Street, along with Ms. Jacqueline Smith, Resource Development Director, submitted a request of \$30,000 to be used for part-time shelter supervisors. Ms. Scott told Council that the shelter currently averages 30 people per night. She noted the change in the use of daytime assistance for groceries, clothing and financial assistance. She indicated the overall need for the shelter has increased. While the shelter averaged twenty-five (25) families a day for groceries, clothing and financial assistance, on February 26, 2003, the shelter had sixty-nine (69) families, seventeen (17) of which were new. Ms. Scott stated she greatly appreciated the support of the community for the shelter. She thanked Council for their past and continued support.

Mr. Ronald Fleming, representing the Jersey City Community, spoke with Council regarding the revitalization of the Jersey City Community. He noted that the Jersey City Community was the oldest, traditionally African-American neighborhood in Salisbury. Mr. Fleming discussed the development of the intersections of Cemetery Street, Caldwell Street and Mocksville Avenue, to include benches and landscaping along with a historical marker to make the intersection functional and to mark it as the gateway to the community. Mr. Fleming also discussed the state of the homes in the neighborhood and measures needed to restore and refurbish the homes. He noted the availability of vacant parcels in the neighborhood and spoke of the potential for new home construction to enhance the neighborhood.

Since no one else was present to address Council concerning the use of the 2003-2004 CDBG and Home funds, Mayor Klutz closed the public hearing.

Mayor Kluttz informed those present that no action would be taken today. She thanked those who spoke to Council for their presentations and relayed Council's gratitude for their work for the community.

### **GROUP DEVELOPMENT SITE PLAN - G-04-02 - GOLD HILL APARTMENTS**

Mr. David Phillips, Development Services Specialist, asked for Council's consideration of Group Development G-04-02, Gold Hill Apartments, located 420 Gold Hill Drive (tax map 070, parcels 035&122).

Mr. Phillips reviewed the plans, which are for an apartment complex consisting of one hundred twenty (120) units, in five (5) three (3) story buildings. The site will also include a clubhouse, a pool area, two (2) enclosed parking garages, and outdoor parking. Mr. Phillips informed Council that the site plan met or exceeded all parking and landscaping requirements.

Residential Development "A" (RDA) has a height limitation of thirty-five (35') feet, Mr. Phillips noted. The proposed buildings are forty (40) feet, and therefore exceed the height limitation by five (5') feet. Mr. Phillips reminded Council that the ordinance allows Council the authority to grant approval to exceed the height limitation. Mr. Phillips told Council that both the Planning Board and staff recommends approval with the addition of five (5') feet for the building height.

Councilman Burgin asked Mr. Phillips about the location of trees, stating he thought the trees had to be located within the parking lot and not just in the perimeter. Mr. Phillips replied that islands are not required within the parking lot as long as they meet the requirements of sixty (60') foot spacing from all parking spaces.

Thereupon, Mayor Pro Tem Woodson made a **motion** to approve Group Development G-04-02 per staff's recommendation. Councilman Martin seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Kluttz voted AYE. (4-0)

### **REQUEST FROM SALISBURY-ROWAN SYMPHONY GUILD TO ALLOW PARKING ADJACENT TO 626, 610, AND 550 CLUB HOUSE DRIVE**

Ms. Wendy Brindle, Traffic Engineer, informed Council that the Salisbury-Rowan Symphony Guild will be holding a designer house showcase March 20-23, 2003, and March 27-30, 2003. The featured house is located at 626 Club House Drive. The Symphony Guild has requested temporary parking be allowed on the east side of Club House Drive, adjacent to the home located at 626, 610 and 550 Club House Drive. The Symphony Guild contacted the owners of the homes and they are in agreement with the parking arrangement.

Ms. Brindle stated that the Engineering, Police, and Fire Departments have reviewed the request and recommends approval with the following conditions:

1. Due to roadway geometry, parking be limited to the area south of the driveway at 626 Club House Drive
2. A representative from the Symphony Guild be present during the showcase to monitor parking and assist as necessary

Mayor Pro Tem Woodson noted that the road is not heavily traveled and the Designer Showcase is a big fundraiser for the Symphony Guild. Councilman Burgin asked if police would monitor the area. Ms. Brindle replied that they were aware of the request and would make note of it.

Thereupon, Mayor Pro Tem Woodson made a **motion** to approve the request for the dates indicated. Councilman Martin seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Kluttz voted AYE. (4-0)

### **SALISBURY RAW WATER PUMPING STATION - UTILITIES DEPARTMENT**

Mr. Dewey Peck, Purchasing Manager, spoke to Council concerning improvements to the City of Salisbury's water plant and its associated facilities. He indicated that the raw water pumping station is aged and necessitated the purchase of a new pump, along with the relief valve and flushing systems that would fit within the confines of the structure. He added the purpose for seeking a single source purchase was because only one unit would fit within the confines of the structure.

Interstate Utility Sales can provide a Floway 8,700 gallon pump for \$140,063.00. Mr. Peck told Council that Charles R. Underwood is performing the maintenance on the system and Mr. Peck recommends that Mr. Underwood be approved for the installation of the pump, relief valve and flushing systems for \$212,000.00 for a total of \$352,063.00.

Thereupon Mayor Pro Tem Woodson **moved** to approve the Resolution authorizing the purchase of a 8,700 gallon raw water pump. Councilman Burgin seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Klutz voted AYE. (4-0)

RESOLUTION AUTHORIZING THE PURCHASE OF A 8,700 GALLON RAW WATER PUMP, INSTALLATION, AND REPLACEMENT OF RELIEF VALVES AND FLUSHING SYSTEM FOR THE SALISBURY RAW WATER PUMPING STATION FOR THE UTILITIES DEPARTMENT

(The above resolution is recorded in full in Resolution Book No. 11, under Chapter XII - Miscellaneous, at Page No. 10, and is known as Resolution No. 2003-10.)

**BUDGET ORDINANCE AMENDMENT 2002-2003 - TO APPROPRIATE DONATIONS TO HURLEY PARK**

Upon **motion** by Mayor Pro Tem Woodson, the following budget ordinance amendment to the 2002-2003 budget was adopted, to appropriate donations to Hurley Park, in the amount of \$5,000. Councilman Martin seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Klutz voted AYE. (4-0)

AN ORDINANCE AMENDING THE 2002-2003 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE DONATIONS FOR HURLEY PARK

(The above ordinance is recorded in full in Ordinance Book No. 19, under Chapter II - Administrative, at Page No. 12, and is known as Ordinance No. 2003-20.)

Mayor Klutz asked staff to send Mr. Hurley a letter thanking him for his donation and generosity.

**SALISBURY FIRE DEPARTMENT - CITATIONS FOR FIRE LANE VIOLATIONS**

Fire Marshall Tom Murphy asked for Council's consideration of a resolution to support impending legislation that will help the Fire Department by allowing them to issue fire lane violation citations.

Mr. Murphy explained that the Fire Department depends on the fire lanes being available for Fire Department vehicles. Proper placement for equipment and access is vital for a successful emergency operation. He added that the Fire Department has a tremendous problem with illegally parked vehicles in fire lanes. Mr. Murphy indicated that Representative Lorene Coates is helping with the impending legislation, but needs a resolution of support by City Council before she can proceed.

Mayor Klutz asked if they would cite only abandoned cars, or include those cars that pull into the fire lanes with someone still inside. Mr. Murphy replied that if a vehicle is occupied they will request the car be moved and only unattended vehicles will be cited.

Councilman Martin asked Mr. Murphy about enforcement. Mr. Murphy told Councilman Martin that once the plan is approved in Raleigh, he will come back before Council with specific information and request a change to the City Ordinance. Councilman Martin asked if other cities have this enabling legislation. Mr. Murphy confirmed that they did.

Mayor Klutz asked if it would give the entire Fire Department the right to issue citations. Mr. Murphy stated that certain individuals would be allowed to issue citations, but not every fireman.

City Manager David Treme added that this Resolution would help get the state legislation passed and then allow Council to come back to adopt an Ordinance that would be meaningful to the City.

Thereupon Councilman Martin made a **motion** to approve the Resolution in support of enabling legislation. Mayor Pro Tem Woodson seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Klutz voted AYE. (4-0)

RESOLUTION IN SUPPORT OF ENABLING LEGISLATION THAT WOULD ALLOW THE SALISBURY FIRE DEPARTMENT TO ISSUE CITATIONS FOR FIRE LANE VIOLATIONS.

(The above resolution is recorded in full in Resolution Book No. 11, under Chapter XII - Miscellaneous, at Page No. 11, and is known as Resolution No. 2003-11.)

**SALISBURY FIRE DEPARTMENT - EMERGENCY RESPONSE TIMES**

Fire Chief Sam Brady and Battalion Chief Bob Parnell addressed Council concerning emergency response times.

Mr. Parnell defined response time as the time from when the tone is received at the fire station until they arrive on the scene of the emergency. He noted that it did not include the time it took for 911 to process the call. At present, the response time average for Station 51 is three (3) minutes and fifty-five (55) seconds; Station 52, four (4) minutes and fifty-two (52) seconds; and Station 53, five (5) minutes and three (3) seconds, he noted.

Mr. Parnell explained that the time it takes for a fire to start and move to a life threatening condition is very short. He noted that a smoldering cigarette can start a fire in an upholstered chair and move to a deadly situation within two (2) minutes. Flashover, the time it takes for a fire to over take an entire room, can take two (2) to six (6) minutes, Mr. Parnell indicted.

Mr. Parnell told those present that some of the longest distances are to the annexation areas, and that a study was done to the

Majolica Road intersection on Statesville Boulevard. Based on the average response time of thirty (30) miles per hour or two (2) minutes per mile, the distance from Station 53 is three point one (3.1) miles or a time of six (6) minutes and fifteen (15) seconds. From Station 52 the distance is four point five (4.5) miles or nine (9) minutes, and from Station 51 it is four point eight (4.8) miles or nine (9) minutes and thirty (30) seconds.

Mr. Parnell reviewed the medical emergency aspect of response times. He explained that once a person's heart has stopped there is a four (4) minute window for the heart to be revived. If the heart is not revived within four (4) to six (6) minutes, biological death will result. Mr. Parnell emphasized it is very important for the Fire Department to be on the scene of an emergency within four (4) to six (6) minutes.

A recent Salisbury Post article stated that the Rowan County Commissioners are discussing a policy to set ambulance response time at eight (8) or twelve (12) minutes. Mr. Parnell noted that the same article stated that nearly fifty percent (50%) of all EMS calls are within or close to the City of Salisbury. He noted that the closest County EMS station is located on Old Concord Road. Once the City completes annexation, the closest station will be on West Statesville Boulevard, he added. He noted that both sites are quite far from the population center of Salisbury. Mr. Parnell assured Council that the Salisbury Fire Department will respond to the annexation areas with the same professionalism, and will continue to conduct life saving techniques as possible. Mr. Parnell pointed out that the annexation area is three point one (3.1) miles from an existing station and will result in a seven (7) minute and fifteen (15) seconds response time just to get to an area in the center of the annexation area.

City Manager David Treme explained that he asked Chief Brady and Battalion Chief Parnell to present this information to Council since it was not presented at the retreat. He added he felt that it was part of a capital improvement issue.

Mr. Treme noted that he had presented four (4) different capital needs to Council, with one (1) of the needs being a fire station on Highway 70. Mr. Treme explained that staff realized they did not have the money to fully staff a new station but did believe the process could begin and with a few people from headquarters could improve the response time. He reminded Council that the second capital improvement need he had presented at the retreat was improvements to the existing Police Station. The third need was the Public Services facility.

Mr. Treme advised that in the City's debt schedule there is approximately \$3.5 million of debt that will end this year, and by reissuing that debt to pay for the new capital needs, the needs could be met while maintaining the same payment level. He asked Council for their consideration during the budget process. He added that all of the needs that were presented are important but he realized not all could be funded this year. Mr. Treme told Council that staff will work to build into the budget, the funds for the update of the communications system, as this was a very important need.

Councilman Martin asked Mr. Parnell if he knew how Salisbury compared in response times with cities its size throughout the state. Mr. Parnell replied that he did not have the information but would be glad to find out and report back. City Manager Treme added that the City is rated, and the rating is based on response time, manpower, facilities, and water.

Councilman Martin asked about the rating requirements for response time. Mr. Parnell stated that one portion of the rating system states that, for the majority, the distance from a fire station to a building should be no more than one and half (1 ½) miles, which equates to a three (3) minute response time. Mr. Parnell noted that in 1995 during the City's last evaluation, they were told that they were at their maximum response for the existing fire stations. City Manager Treme stated that the City wants to provide the best service possible with the strategic location of the stations in order to reach the most people. He added that with the recent growth, Highway 70 is the most critical area in need of a station.

Mayor Pro Tem asked Mr. Treme the cost for the new station. Mr. Treme stated he hesitated to give an amount without having a firm figure, but would provide a figure to Council during the budget process.

## **COMMENTS FROM CITY MANAGER**

### **(a) Planning Board Recommendations and Comments**

Council received the Planning Board recommendations and comments from their February 25, 2003 meeting.

### **(b) Geographic Information System (GIS) Update**

Mr. Dan Mikkleson, Director of Land Management & Development, introduced Ms. Kathryn Clifton, GIS Coordinator, to discuss the Geographic Information System (GIS).

Ms. Clifton explained how GIS is used and noted that the City of Salisbury's GIS system benefited the entire City. She stated that one goal was for the information to be available to developers and citizens online, twenty-four (24) hours per day.

Ms. Clifton reported that eighty percent (80%) of North Carolina counties possessed some form of GIS capabilities. Twenty-eight (28) counties have interactive online capability, and twenty (20) counties have limited online capabilities. Rowan County currently has limited online capabilities. One of the main hindrances is the development of data. Ms. Clifton stated that Rowan County was on the verge of receiving the data that is needed.

Ms. Clifton explained two of the current data projects, which are the development of the data for parcels and also for orthophotography (aerial photos). Ms. Clifton displayed for Council, samples of old orthophotos versus the new orthophotos, noting the improvement in technology.

Ms. Clifton reviewed several GIS examples including flood zone determination, parcel-level mapping research, park facility locator, real estate property lookup, and zoning data browser. She stated the essential components of GIS are people, software, data, hardware and methods/standards.

Mr. Mikkleson told Council that two important elements of GIS are having the data available allowing staff to make better decision, and also the public's interest in being able to obtain information.

Councilman Burgin stated that developers needed this information, and in efforts to streamline and make things easier in the City, this is key and very important. City Manager Treme noted that many developers and businesses searching for sites use this information and do not visit the sites of those counties without this information.

(c) 2003 Retreat - Outcomes & Goals

Mr. Treme reviewed the Outcomes and Goals from Council's planning retreat. The Outcomes and Goals were:

Outcome 1: Improve neighborhoods and safety for all areas of the City

1. Implement Police Department Strategic Plan – Police
2. Implement Crime Control Plan – Police
3. Implement Project Safe Neighborhood – Police
4. Evaluate an alarm ordinance – Police, Fire
  5. Broker projects to improve housing in selected neighborhoods – Land Management & Development (LM&D)
  6. Provide leadership training for the Jersey City neighborhood – (LM&D)
7. Conduct needs assessment to identify additional selected neighborhood(s) – LM&D
8. Complete Park Avenue Community Center – LM&D
9. Complete Oakdale-Union Hill Cemetery Improvements – LM&D, Public Services
10. Evaluate Public announcement methods concerning emergency preparedness – Fire, Police, Utilities

Outcome 2: Expand the tax base and revenue sources

1. Prepare systematic annexation plan – LM&D, Finance, Utilities

Outcome 3: Provide quality Parks and Recreation services

1. Continue development of Salisbury Community Park and Athletic Complex – Parks & Recreation
2. Develop additional funding sources for the Community Park – Parks & Recreation
3. Continue renovation of existing parks and recreation facilities – Parks & Recreation
4. Complete Master Plans for individual parks – Parks & Recreation
5. Implement Greenway Construction – LM&D, Parks & Recreation
  6. Implement Open Space Standards through Vision 2020 – LM&D, Parks & Recreation
7. Conduct Feasibility Study for Civic/Convention Center –

City Council, Parks & Recreation

Outcome 4: Improve appearance and function of the Innes Street Corridor

1. Evaluation Visual Corridor Overlay District (VCOD) Ordinance for improved public acceptance – City Council, LM&D
2. Prepare East Innes Street streetscape plan – LM&D

Outcome 5: Implement Salisbury Vision 2020 Plan

1. Adopt standards and ordinances that support implementation of Vision 2020 – LM&D, Management Team
2. Streamline development review process and ordinances – LM&D, Utilities
3. Identify opportunities to support Vision 2020 through City operations – LM&D, Management Team
4. Consider managed growth standards and incentives – LM&D, Utilities

Outcome 6: Foster a climate of City-County cooperation

1. Support Rowan County's development of a land-use plan with growth corridors – LM&D, Utilities
2. Conduct periodic City-County meetings with elected officials as needed – City Council

Outcome 7: Attract, retain and develop high quality City employees

1. Require multiculturalism training for all new employees, and provide training for interested citizens – Human Resources
2. Implement employee training and development plan – Human Resources
3. Evaluate "Broad Banding" compensation program for additional departments – Human Resources
4. Implement strategies to recruit employees from diverse populations – Human Resources
5. Develop strategies to attract and retain quality employees – Human Resources

Outcome 8: Partner with Rowan-Salisbury Schools

1. Meet with School officials to determine needs with which the City can assist – City Council, Management Team

Outcome 9: Improve overall management of City and Departments

1. Participate in statewide programs to establish performance standards – Finance, Management Team
2. Develop system of standards to measure performance and accomplishments for all City Departments – Finance, Management Team

3. Monitor accomplishments in achieving stated standards – Finance,  
Management Team

4. Create, monitor and evaluate departmental strategic plans – City  
Manager, Management Team

5. Periodically evaluate the status of the City's Outcomes and Goals –  
City Council, City Manager, Management Team

6. Continue the City's goal setting and future directions process – City  
Council, City Manager, Management Team

Outcome 10: Implement special initiatives to improve the quality of life for Salisbury citizens

1. Participate in the Regional Environmental Sustainability Project –  
City Council, LM&D, Management Team

2. Provide appropriate training for all Boards and Commissions –  
LM&D, Human Resources, Parks & Recreation

3. Complete a feasibility study for an educational television access  
channel – Information Technology

Outcome 11: Improve and enhance Downtown Salisbury

1. Partner with Downtown Salisbury Incorporated (DSI) to implement  
the Downtown Salisbury Master Plan – LM&D

2. Implement recommendations of DSI Parking Committee – LM&D,  
Public Services

3. Conduct a downtown American with Disabilities (ADA) compliance  
audit – LM&D, Human Resources, Public Services

Mr. Treme noted that he would prepare the budget and expenditures to reflect the interests the Council has set forth.

(d) Sale of Property to Community Development Commission

Mr. Treme informed Council that property located at 427 East Cemetery Street, which was turned over to the Community Development Commission, had been sold. Mr. Treme asked Council to ratify the sale of the house and lot to the Salisbury Development Community Corporation.

Thereupon, Mr. Burgin made a motion to approve the sale of property located 427 E. Cemetery Street to the Community Development Corporation. Mr. Woodson seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Klutz voted AYE. (4-0)

(e) Request from Mr. Glenn Ketner - Salisbury Mall Cinema Sign

Mr. Treme informed Council that he has asked Mr. Dan Mikkelson, Director of Land Management & Development, to present a request that has been received for a proposed text amendment to the Sign Ordinance.

Mr. Mikkelson stated that the sign in question is located at the Salisbury Mall Cinemas on Highway 70. He reminded Council that in the fall they had made a Code revision regarding the sign to improve the flexibility for the owner. The time limit has passed, he noted, and an alternate proposal has been received from Mr. Glenn Ketner. He recommended referring Mr. Ketner's proposal to the Planning Board for review and recommendation.

Mayor Pro Tem Woodson asked if the request was to allow the current sign to stay where it is located. He added that he felt without the sign, whoever leased or purchased the property would have an obstacle in doing business. Mayor Pro Tem Woodson stated he felt the proposal should be referred to the Planning Board for review.

Councilman Burgin stated that he wants Council to adopt motions and provisions that make sense for the City. He added that he wants to send the proposal to the Planning Board without bias, and not with the implication that Council felt it was good for the City.

Mayor Klutz agreed, noting that Mr. Ketner's request was just given to Council and Council should not endorse what they have not read.

Mr. Mikkleson noted that due to the contentious nature of the Sign Ordinance, staff requires sign ordinance text amendment requests to be brought to Council, before being referred to the Planning Board. City Manager Treme added he felt it was a procedural matter and should be sent to the Planning Board for their due diligence. Councilman Burgin reiterated he wanted the request to be sent to the Planning Board without bias.

Thereupon, Mayor Pro Tem Woodson made a **motion** to send the request from Mr. Glenn Ketner, for a text amendment proposal, to the Planning Board for review. Councilman Martin seconded. Messrs. Burgin, Martin, Woodson, and Ms. Klutz voted AYE. (4-0)

#### (f) Alcoa - Federal Energy Regulatory Commission

City Manager Treme provided Council a copy of a letter dated February 28, 2003 that was sent to Mr. J. Mark Robinson, Director of Energy Projects, Federal Energy Regulatory Commission. The letter was in response to Alcoa's letter to the Federal Energy Regulatory Commission.

#### (g) Salisbury-Statesville Emergency Interconnection

Mr. Treme informed Council that staff has been working with the State of North Carolina regarding an emergency water connection with the City of Statesville. The State of North Carolina has given us a deadline of March 15, 2003 for the City of Salisbury and the City of Statesville to come to an agreement regarding this emergency connection. He recommended the City participate in the agreement with the City of Statesville at a cost of \$400,000.

Mr. Matt Bernhardt, Assistant City Manager for Utilities, stated that staff had begun working with the State and the City of Statesville during the drought. He noted that Salisbury and Statesville are two of the larger cities in North Carolina without any type of emergency interconnection.

Mr. Bernhardt discussed the August 20, 2002 raw water line break, which spilled approximately 8,300 gallons per minute from the City's Water System. The System was left with approximately four (4) hours of water, but due to a quick response by the City's Emergency Management Team, the supply was stretched to over eight (8) hours. Mr. Bernhardt pointed out that Salisbury has only one supply "train" (connected series of facilities for an overall purpose) to the Yadkin River.

The City of Statesville experienced a serious water line break February, 2003, and was forced to issue a "Boil Water Notice". Statesville also experienced such a severe water shortage during the drought that it was listed as a Level Four (highest) State of Emergency for most of the summer.

Mr. Bernhardt told Council that the North Carolina Department of Environment and Natural Resources (NCDENR) and the North Carolina Drought Council strongly support the system interconnections, as well as the Environmental Protection Agency Regional Sustainability Project.

Mr. Bernhardt reviewed Section I of the Salisbury-Statesville Emergency Interconnection, for which Salisbury is responsible. It involves a .9 mile line replacement between Parks Road and the booster pump station at Highway 801. Mr. Bernhardt noted that this is also the last section of line that the City is responsible for relocating for the Highway 70 widening project. He told Council that the improvements at the booster pump station at Highway 801 would include a backup pump and related controls, and a back up generator.

Mr. Bernhardt stated that Section II of the Salisbury-Statesville Emergency Interconnection for which Statesville is responsible, is five point five (5.5) miles of sixteen (16") inch pipe running between the business park and the end of the sixteen (16") inch line, located at Freightliner. A new pump station will be located in Rowan County in order for the City of Salisbury to pump water to Statesville, he said. Mr. Bernhardt pointed out that this will be an emergency interconnection and not one for daily use. Since the Statesville system is higher in elevation they will gravity flow 100,000 gallons per day back to Salisbury's system to maintain the necessary water quality, at no charge to the City of Salisbury.

Mr. Bernhardt told Council that the cost of the project to the City of Salisbury for Section I of the emergency interconnection is \$800,000 of which \$400,000 will be provided by grant funds. Statesville's portion for Section II is approximately \$1.8 million of which \$700,000 will be provided by grant funds.

Mayor Pro Tem Woodson stated he felt the project sounded like a great insurance policy, and noted that the 100,000 gallons of

water per day flowing into Salisbury equaled about \$100,000 per year, so it would essentially be a four (4) year payback.

City Manger Treme told Council that the City would own the line from the county line into Salisbury. Mr. Bernhardt informed Council that the terms of the agreement would be for twenty (20) years, renewable thereafter.

Mr. Treme noted that the Rowan County Board of Commissioners will have to approve the agreement since they own a small portion of the system that has debt connected. When the debt is paid in full that portion will revert to Salisbury, and, Mr. Treme added, he felt the County understood the agreement was to everyone's benefit.

Mayor Pro Tem Woodson added he felt this was an easy decision and a well spent \$400,000.

Thereupon, Mayor Pro Tem Woodson made a **motion** to approve the agreement with the City of Statesville at a cost of \$400,000. Councilman Burgin seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Klutz voted AYE (4-0)

Mayor Klutz stated this was a great opportunity for the City of Salisbury, Rowan County, and the City of Statesville.

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### **MAYOR'S ANNOUNCEMENTS**

#### (a) Town of East Spencer

Mayor Klutz reported that the Town of East Spencer held a celebration dinner for its citizens and gave a special recognition to the City of Salisbury for their help during East Spencer's financial trouble.

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#### (b) Institute of Government

Mayor Klutz announced that the Institute of Government Southwest Regional Council dinner meeting will be held at Lowe's Motor Speedway on Thursday, April 3, 2003 from 5:00 p.m to 7:30 p.m.

#### (c) North Carolina Metropolitan Coalition

Mayor Klutz reported that she attended the North Carolina Metropolitan Coalition Meeting February 19-20, 2003, with our local legislators. She added that she was on the executive board and would continue to stay very involved.

#### (d) Chamber of Commerce

Mayor Klutz announced the Chamber of Commerce will hold a luncheon meeting on Thursday, March 13, 2003. The topic is Workforce Development Initiative presented by Mr. Carl Repsher.

### **ADJOURNMENT**

**Motion** to adjourn was made by Councilman Burgin, seconded by Councilman Martin. All Council members unanimously agreed to adjourn. The meeting was adjourned at 6:02 p.m.

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Mayor

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City Clerk