

Salisbury, North Carolina
March 2, 2004

REGULAR MEETING

PRESENT: Mayor Susan W. Kluttz, Presiding; Mayor Pro Tem, Paul B. Woodson, Jr.; Councilmen William (Bill) Burgin; William (Pete) Kennedy; Mark N. Lewis; City Manager, David W. Treme; City Attorney, F. Rivers Lawther, Jr.; and City Clerk, Myra B. Heard.

ABSENT: None.

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

PLEDGE OF ALLEGIANCE

Eagle Scout Henry Norden Fairley, IV, Troop 401, Sacred Heart Catholic Church, led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Kluttz recognized all visitors present and welcomed boy scouts Nathan Hough, Josh Mowery, Will Mowery, and Luke Mowery from Troop 443, St. John's Lutheran Church.

ADDITIONS/DELETIONS TO THE AGENDA

Mayor Kluttz noted the following changes to the Agenda:

Delete Item 11- Council to receive an address from Jim Burgess, Developer, regarding curbing in Residential Development Districts.

Delete Item 19 – Council to go into closed session to consult with an attorney as allowed by NCGS 143-318.11(3).

RECOGNIZE POLICE OFFICER DENNY MORGAN

Mayor Kluttz recognized Police Chief Mark Wilhelm and Police Officer Denny Morgan. Chief Wilhelm explained that Officer Morgan had just returned home from serving in the war in Iraq. Officer Morgan was mobilized January 2003 and returned home on February 27, 2004. Mayor Kluttz asked Officer Morgan, Chief Wilhelm, and Officer Morgan's Mother and Stepfather to come forward where she presented Officer Morgan with a plaque honoring his service and commitment during the war in Iraq. She stated that Council was very proud to recognize Officer Morgan and added that Council was thankful he was safely home.

PROJECT CHILD SAFE GUN LOCK PROGRAM

Police Chief Mark Wilhelm told Council that Project Child Safe Gun Lock, a nationwide program, has provided seven hundred (700) free gun locks to be distributed to firearms owners, at no cost to the City. Chief Wilhelm noted that this program is supported by a United States Department of Justice Grant and the National Shooting Sports Foundation. He stated that it will work in compliment with Project SAFE Salisbury by encouraging the safe handling and proper storage of firearms in the home.

Mayor Pro Tem Woodson asked Chief Wilhelm how many gun owners were in the community. Chief Wilhelm responded that he did not have that answer but more gun locks were available if needed.

RECOGNIZE PROJECT SAFE SALISBURY - MAYOR'S COMMUNITY INTERVENTION TEAM

Salisbury Police Lt. David Belk and Mr. Henry Diggs, Project SAFE Salisbury Team Facilitator, addressed Council concerning Project SAFE Salisbury. Lt. Belk gave Council a brief overview of the Project. He told Council that the Project is based on a partnership, a strategic plan, training, outreach to the community, and accountability to insure that the program is having an impact on the community. He stated that the goal of Project SAFE Salisbury is to improve the quality of life for all residents of Salisbury/Rowan by employing a comprehensive county-wide strategy to reduce violent crime. Lt. Belk reviewed the agencies from law enforcement to the community who are involved in the program.

Mr. Diggs told Council that the intent of the program is to provide assistance to offenders by notifying them if they fit the program criteria and then providing the resources to help them turn their lives around. He reviewed the outreach committees and their functions to help the offenders meet the basic needs that they have identified. Mr. Diggs thanked Council for their continued support.

Lt. Belk noted that two key points of the project are to ask violent offenders in the community to change their behavior and if the behavior is not changed, then the offender will be taken out of the community by prosecuting them to the fullest ability.

Mayor Kluttz noted that the members of the committee actually meet face to face with the offenders to offer them help and hope for a different lifestyle. She noted that if the offender is caught with a gun after being warned they are prosecuted on Federal charges and receive considerably longer jail sentences.

Mayor Kluttz presented members of the Project SAFE Salisbury Mayor's Community Intervention Team with Certificates of Recognition for their service to the community. Members of the Project SAFE Salisbury Mayor's Community Intervention Team are: Rev. Nilous Avery, Lt. David Belk, Mr. Chris Boylan, Ms. Fannie Butler, Ms. Karen Carpenter, Mr. Chris Chaney, Mr. Mike Colvin, Ms. Rose Cox, Mr. Henry Diggs, Ms. Kristen DiLuca, Mr. Bryan Duncan, Dr. Murray Edwards, Ms. Elizabeth Fields, Ms. Barbara Fuller, Pastor Bill Godair, Ms. Tina Godair, Ms. Jackie Harris, Dr. Robert Heffern, Mr. Jeff Jones, Mr. Bill Kenerly, Councilman Pete Kennedy, Mayor Susan Kluttz, Rev. Gena Long, Rev. Reginald Long, Mr. Rodney Mahaley, Mr. Jeff Morris, Mr. Rodney Nunn, Mr. Rusty Orrell, Mr. Rick Pender, Mr. William Peoples, Ms. Sara Potts, Mr. Gerald Robinson, Detective Gene Smitley, Ms Hattie Steele, Ms. Melissa Taylor, City Manager David Tremé, Police Chief Mark Wilhelm, Ms. Karen Wilkinson, Mr. Layton Woodcock, Mr. Chanaka Yatawara.

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CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of February 17, 2004 and Special Meeting (Retreat) of February 19-20, 2004.

(b) Group Development Site Plan G-02-02 - Ashton Manor

Approve group development site plan G-02-02 Ashton Manor, 200 block of Sunset Drive.

(c) Budget Ordinance Amendment - Project SAFE Grant

Approve a Budget Ordinance Amendment FY2003-2004 to appropriate Project SAFE Grant in the amount of \$26,688.

AN ORDINANCE AMENDING THE 2003-2004 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA, TO APPROPRIATE PROJECT SAFE GRANT.

(The above ordinance is recorded in full in Ordinance Book No. 20, Budget, at Page No. 5, and is known as Ordinance No. 2004-05.)

(d) Budget Ordinance Amendment - Restricted Asset Forfeiture Funds

Approve a Budget Ordinance Amendment FY2003-2004 to appropriate restricted asset forfeiture funds in the amount of \$8,512.

AN ORDINANCE AMENDING THE 2003-2004 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA, TO APPROPRIATE RESTRICTED ASSET FORFEITURE FUNDS.

(The above ordinance is recorded in full in Ordinance Book No. 20, Budget, at Page No. 6, and is known as Ordinance No. 2004-06.)

(e) Minor Subdivision Plat S-03-04 - Bendix Drive Associates

Approve minor subdivision plat S-03-04 for Bendix Drive Associates to subdivide a 29.462 acre tract on Bendix Drive into two (2) commercial lots.

Thereupon, Mr. Woodson made a **motion** to approve the Consent Agenda. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

ZONING MAP AMENDMENT - Z-2-04 - SALISBURY VILLAGE CENTER

Z-2-04 - Salisbury Village Center, part of the 1000 block of Mooresville Highway

Councilman Burgin asked to be excused from deliberation on this item due to a conflict of interest.

Thereupon, Mr. Kennedy made a **motion** to excuse Councilman Burgin from the issue. Mr. Woodson seconded the motion. Messrs. Kennedy, Lewis, Woodson and Ms. Kluttz voted AYE. (4-0)

Councilman Lewis also asked to be excused from deliberation due to a conflict of interest.

Thereupon, Mr. Kennedy made a **motion** to excuse Councilman Lewis from deliberation on the issue. Mr. Woodson seconded the motion. Messrs. Kennedy, Woodson, and Ms. Kluttz voted AYE. (3-0)

(a) Mr. Harold Poole, Senior Planner, informed Council that this request is known as the Salisbury Village Center and is presented in two (2) parts. Part A of the request is to rezone the back 100 feet of the property, which includes approximately 3.65 acres that adjoins the back of properties located on Sunset Drive from R-8 Single Family Residential to B-7 Limited Business. Mr. Poole told Council that the Planning Board recommends approval for this request.

Part B of the request is for a High Density (HD) overlay on a portion of the property approximately one hundred feet (100') in depth from the Castlewood property line. The Planning Board recommendation is to remove a .63-acre portion of the requested property from the HD Overlay area and approve the remaining property.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, to consider Zoning Map Amendment Z-2-04 Salisbury Village Center, part of the 1000 block of Mooresville Highway.

Those speaking in **favor** of the above proposal were:

Mr. Lane Yates, Yates Development, told Council he considered this plan a well planned urban development and added that this plan will have a positive impact on the economy. Mr. Yates told Council that he has performed a case study for the development, which included restaurants, retail, medical and professional establishments. He stated that the results indicated that if proper zoning is approved for the development, the City could experience a great success. He stated that in order for him to move forward as a developer, it requires the land to be brought to today's zoning standards. Mr. Yates told Council that he is pro-growth and estimated the development to create upwards of \$45-\$50 million dollars in assessed value. He stated that if Council approves the request it will allow him to move forward to the next planning stages where neighborhood concerns can be appropriately addressed. Mr. Yates stated that the request to rezone is in compliance with the surrounding areas and should not require any special committees.

Mr. John Casey, John Casey Realty, told Council that he was hired by Food Lion to sell the property in question. He noted that in selling the property Food Lion placed restrictions on it and it was his job to insure developers could meet these restrictions. He added that Food Lion also wanted to meet City requirements and he feels Yates Development has met all of the requirements. Mr. Casey stated that if Mr. Yates is not granted the request he will still sell the property and he can not guarantee the use will be as good. He noted that the property is zoned B-7 and a developer could construct anything that is allowed in B-7 without additional approval. Mr. Casey stated that Mr. Yates is a native of Salisbury and has an interest in the City.

Those speaking in **opposition** to the above proposal were:

Mr. Jay Dees, Attorney with Ketner & Associates, 121 South Kerr Street, stated that he is speaking on behalf of the attorney for residents of the Sunset Drive and Castlewood neighborhoods. He told Council that he had attended the Planning Board meeting when this request was discussed and he was surprised that it was not sent to a committee. Mr. Dees stated that this should be a creative process to determine how this type of development can co-exist with established residential neighborhoods. He indicated the concerns of the neighbors include the traffic in Castlewood, and the rezoning of the buffer that had been retained as R-8 for the sole purpose of maintaining a buffer between the Castlewood Development and commercial development. Mr. Dees noted that the residents have not had the opportunity to be involved in the process and requested Council to give the request due deliberation and consideration.

Ms. Karen Young, 706 Colby Circle, asked Council for protective buffering for the Castlewood neighborhood. She stated that her fear is the buffer will be clear cut and added that she knows the property is zoned for business. Ms. Young said that she feels Mr. Yates will do a quality development but fears that if the project is approved without an approved division or buffer the homeowners will lose the value and security of their homes. Ms. Young referred to the Vision 2020 Plan and stated that she feels this issue can be worked out.

Mr. Percy Smith, 806 Sunset Drive, stated he has concerns for the planning for traffic on Sunset Drive. He noted that there are speeders and urged planners to do what is necessary to slow the traffic down.

Since no one else was present to speak in **favor** or in **opposition** to the above proposal, Mayor Kluttz closed the public hearing.

Mayor Pro Tem Woodson stated that he felt Salisbury needs development as well as jobs and growth. He added that he wanted to protect the neighborhoods but that Salisbury needed the development. Mr. Woodson commented that this looked like a nice mixed use development. He stated the plan needed to be worked out because Salisbury needs the development but there also needs to be a buffer for the residents. Mr. Woodson said he felt strongly that Council had to let development come and to be progressive to bring jobs to the community in order to make it better for everyone. He added that he wanted to work this out to the satisfaction of all parties.

Councilman Kennedy reviewed the zoning history of the property and noted that at one time all of the property was zoned B-7. Portions were changed from B-7 to R-8 for the Castlewood Development. He stated that City leaders before him had wanted this area to be business. Mr. Kennedy stated that Council wants to do all it can to protect the neighborhood but all the developer is seeking is for the area to be rezoned to B-7, noting this is what it was previously zoned. He indicated that the one-hundred foot (100') buffer is in direct conflict with the City's Landscape Ordinance. Mr. Kennedy stated that the Ordinance requires a twenty foot (20') buffer between B-7 and RD-8. He noted the buffer should be brought into compliance and he supports rezoning the one hundred foot (100') strip back to B-7.

Mr. Kennedy addressed the HD Overlay and asked Mr. Poole if City Council can limit the number of housing units during the site plan review. Mr. Poole responded that he did not think the number of housing units could be reduced to less than the ordinance calls for. He noted that if Council approves the Planning Board recommendation of 16.3 acres, it would equal approximately two hundred seventy-five (275) units. He added that once it gets to the stage of site plan review this can be limited. Mr. Rivers Lawther, City Attorney, stated that Council can not require less than what is allowed, but during the site plan review if the housing is not situated appropriately, Council can require a plan that places the units in accordance with setbacks. Mr. Poole indicated that during site plan review Council can require additional landscaping and place criteria for additional setbacks. Mr. Poole noted that B-7 has a fifty foot (50') height limitation and perhaps during the site plan review a height limit lower than fifty (50) can be decided.

Mr. Kennedy strongly encouraged the developer to work with the neighborhoods during the site plan review, noting that this is when the neighborhoods can be protected. He pointed out that Council has approved the Ashton Manor development located in the 200 block of Sunset Drive and with the other developments there are potentially three hundred (300) units on Sunset Drive, a two-lane road. Mr. Kennedy stated that he felt Council needed to be consistent and did not see how they could not allow a higher density on Jake Alexander Boulevard. He noted that he supported the HD Overlay and would do all he could to protect the neighborhoods during the site plan review if the proposal passed.

Mr. Woodson stated that it seemed most of the residents of Castlewood wanted a one hundred foot (100') buffer and a height limit of thirty-five feet (35') on apartments. He added that in looking at the plan he did not feel they can achieve a one hundred foot (100') buffer. Mr. Woodson stated that fifty feet (50') might work, but he did not see how one hundred feet (100') could. He noted that most three (3) story apartment buildings are thirty-eight to forty feet (38'-40') in height, which is close to what the neighborhoods seek. Mr. Woodson asked if a four (4) story unit would be allowed. Mr. Poole replied that the Ordinance only states that there is a fifty foot (50') limitation so as long as the structure fits into that height it would be allowed. Mr. Poole stated that Council can increase setbacks so he felt that Council could also impose a lower height restriction. Mr. Lawther noted that at the site plan review Council makes its findings as to what is presented and whether or not it will be detrimental to the neighborhood. If a reasonable basis is given to show a detriment to the neighborhood, Mr. Lawther stated he felt Council could lower the height. He added that Council would have to have a reason to change the requirements as outlined in the Ordinance. Mr. Poole pointed out that Council will need to specify the site plan review as a public hearing since they are not typically held in that format.

Mayor Kluttz stated that she has concerns about the development, adding that she was concerned that it was not studied by a Planning Board Committee and that Council has no assurances or guarantees of what the developer will do. She stated she felt the first responsibility for Council was to look out for neighborhoods noting it was Council's responsibility to make sure any development located near a neighborhood is compatible.

Mayor Kluttz indicated that Councilman Burgin had developed a project site plan for the Planning Board but there are no assurances that he will be the architect for the project.

Mayor Kluttz indicated that the property is already zoned B-7 and approximately one hundred eighty (180) apartments could be constructed without Council consideration. She stated that there is no doubt the property will be developed but added she felt it is Council's responsibility to make sure it is developed in the best way. Mayor Kluttz stated that the homeowner's association for Castlewood is not opposed to development but has created a list of criteria they would like to see implemented. Mayor Kluttz commented that she did not feel their demands were unreasonable. She stated that if she votes in favor of the rezoning there are certain things that she will expect and if these expectations are not met in the site plan review she will not vote in favor of approval. The issues Mayor Kluttz wants to be addressed include:

- The entrance should not adversely affect Castlewood
- Adequate buffer
- Reasonable density
- Trees in the buffer
- A plan that looks like 2020 development, with sidewalks and connectivity
- A plan that compliments the neighbors and to ensure the neighbors are involved

Mayor Kluttz stated that she wants a public hearing for the site plan review and also requested the Traffic Department look carefully at traffic issues. She noted that the development looked like it could be a nice thing but she is not completely sure about it and it is a gamble for Council. She assured the residents that she will address these items in the site plan review and she will have high expectations for the plan.

Mr. Woodson and Mr. Kennedy agreed with Mayor Kluttz stating they felt the site plan review will be very strict and Council will do all they can to protect the neighbors.

Mayor Kluttz stated that Council has gone on record in support of neighborhoods, and when neighbors come together and are passionate about where they live it is what makes Salisbury special.

Mr. Woodson noted that he felt Council will do all they can to make the development attractive and to have as much buffer as possible. He added that if the City does not do this type of development on a five (5) lane road then the City will not have a lot of development.

Mr. Kennedy commented that if Council approves the rezoning it is not a vote against neighborhoods, adding that he felt the site plan review will

give them a chance to protect the neighborhoods.

(c) Thereupon, Mr. Kennedy made a **motion** to approve to rezone Part A from R-8 Single Family to B-7 Limited Business and to adopt the Ordinance amending the official zoning map. Mr. Woodson seconded the motion. Messrs. Kennedy, Woodson, and Ms. Kluttz voted AYE. (3-0)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING APPROXIMATELY 160,000 SQUARE FEET (3.67 ACRES), WITH ABOUT 1600 FEET ALONG REAR PROPERTY LINES TO PROPERTIES FACING SUNSET DRIVE AND 100 FOOT DEPTH INTO LOT 176 ON SALISBURY TOWNSHIP TAX MAP 61, FROM R-8 SINGLE FAMILY-8 RESIDENTIAL TO B-7 LIMITED BUSINESS.

(The above ordinance is recorded in full in Ordinance Book No. 20, Zoning & Planning, at Page No. 7, and is known as Ordinance No. 2004-07.)

Due to the lack of an affirmative vote of two-thirds of all members of the Council, it will be necessary to have a second reading on the above ordinance before it can be ratified.

(d) Thereupon, Mr. Woodson made a **motion** to approve Z-02-04 Part B High Density Overlay as recommended by the Planning Board. Mr. Kennedy seconded the motion. Messrs. Kennedy, Woodson, and Ms. Kluttz voted AYE. (3-0)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY ADDING THE HD HIGH DENSITY OVERLAY TO APPROXIMATELY 16.27 ACRES OF MOST OF THE BACK PORTION OF LOT 176 ON SALISBURY TOWNSHIP TAX MAP 61, AS INDICATED BELOW.

(The above ordinance is recorded in full in Ordinance Book No. 20, Zoning & Planning, at Page No. 8, and is known as Ordinance No. 2004-08.)

Due to the lack of an affirmative vote of two-thirds of all members of the Council, it will be necessary to have a second reading on the above ordinance before it can be ratified.

SPECIAL USE DISTRICT PERMITS - Z-19S-03 JOHN W. KNOX AND Z-20S-03 - GARRIS BROTHERS, LLC

Z-19S-03 - John W. Knox, 101 Ashbrook Road

Z-20S-03 - Garris Brothers, LLC, 2490 Statesville Boulevard

(a) Swearing In

Mayor Kluttz swore in the following persons to testify in this case:

Mr. Harold Poole, Senior Planner

Mr. Jay Dees, Attorney, Ketner & Associates, 121 East Kerr Street

Mr. Harry Lippard, Resident

(b) Evidence Presented

Mayor Kluttz then opened the public hearing and explained that Council will receive evidence from staff.

Mr. Harold Poole, Senior Planner, stated that this issue is complicated as it is two (2) cases that have been combined. The cases are Z-19S-03 and Z-20S-03, which is a twelve foot (12') strip between Z-19S-03 and Hendrix Barbecue. Mr. Poole stated that the cases have been combined but they have different owners and different property addresses. Z-19S-03 has an address of 101 Ashbrook Road and Z-20S-03 is listed as 2490 Statesville Boulevard. Mr. Poole stated that the similarities have to do with what the request is, what the zoning is, and the proposed zoning. He noted they are both R-20 Single Family Residential and both would be rezoned to B-RT-S Special Retail Trade Business. Mr. Poole stated that the cases are also alike in the Special Uses and Conditions requested. Mr. Poole explained that the Special Uses would be to continue the existing R-20 uses plus parking lot for the adjoining restaurant, which is Hendrix Restaurant. The Special condition for each case is that there is a site plan review for the proposed parking lot. He commented that Council could see why staff has combined the two (2) cases into one (1) and noted that this will require four (4) votes for approval.

Mr. Poole reviewed an aerial photograph showing the twelve foot (12') strip, adding he recalls the strip is 12'x 145' and it extends off of Statesville Boulevard. He displayed a photograph of the view from Majolica Road of the property in question, a view of Hendrix Barbecue from Ashbrook Road, and a view of the entrance into Westcliffe. Mr. Poole noted that on the display map the zoning classifications in the area are B-RT for Hendrix Barbecue as well as for the property located across the street from Hendrix Barbecue. He noted that the back property abuts RDA and pointed out other R-20 in the area. Mr. Poole stated the area is predominately R-20 and B-RT. He noted the land uses in the area around Hendrix Barbecue pointing out commercial uses to the east of the property and single family residential units across US 70 and into the Westcliffe subdivision.

Those speaking **in favor** of the above proposal were:

Mr. Jay Dees, Ketner & Associates 121 East Kerr Street, stated that he represented Mr. Knox, who is property owner in one case, and the Garris Brothers, LLC, who are property owners in the other. Mr. Dees explained that, but for the Highway 70/Statesville Boulevard widening project, we would not be here today. He stated that Hendrix Barbecue is going to lose approximately sixteen (16) to eighteen (18) parking spaces directly in front of the business. Mr. Dees stated that when Hendrix Barbecue decided to add, Mr. Garris approached Mr. Knox about purchasing the lot for extension of parking only, hence the B-RT-S, where only the underlying residential uses would be allowed, along with the only commercial use as a parking lot adjoining Hendrix Barbecue. Mr. Dees told Council that during the process he has undertaken great caution and has spent time with the homeowners association and also spent time at a meeting on a Sunday afternoon to talk with the neighbors and address concerns. He added that the neighborhood association passed a resolution that otherwise did not object to this particular use. Mr. Dees noted that there are some other satellite issues that they have concerns with, and those will be dealt with in site plan approval. He added that as far as the zoning of this property for this limited use there has not been any objection unless individuals speak their mind tonight. Mr. Dees said that they seem to understand the dilemma that Hendrix is in and he had shown them potential site plans. He added that they have gone about this with great caution and care and simply ask Council to consider this rezoning for the very limited use as a parking lot for Hendrix Barbecue and he appreciated Council's consideration.

Mr. Harry Lippard, 145 Majolica Road, stated he lives directly across Highway 70 from Hendrix Barbecue. Mr. Lippard stated he would like Council to do what they can to help them stay in business because he wants them across the street because it is really convenient.

Mayor Kluttz swore in Mr. Sam Meredith, 2542 Enon Church Road. He told Council that he has known the Garris' for a period of over three (3) years. Mr. Meredith stated that a couple of weeks ago he heard a gentleman speak regarding the loss of employment in Rowan County. He added that it was a larger loss than he thinks this would entail, but he asked that logic prevail in this decision. Mr. Meredith stated that this is a vital on-going business and he feels we need to keep these service businesses in Rowan County. Mr. Meredith told Council that this is a hard working group with a staff core, that if you have experienced expedited service, he thinks tops just about everything in that respect. He added that for all concerned he would like to see the approval of this zoning today.

Since no one else was present to speak **in favor** or **in opposition** to the above proposal, Mayor Kluttz closed the public hearing.

Mayor Pro Tem Woodson stated that he felt Council needed to help this business just like they talked about in the previous public hearing concerning Jake Alexander and Castlewood and Council needed to do whatever they can. He added that he was glad to see no objections presented and is in favor to do whatever is necessary to rezone for parking.

Councilman Kennedy commented on Z-19S-03 and asked if there needed to be four (4) different motions. Mayor Kluttz confirmed and stated that there needed to be a Finding of Fact.

Mr. Poole indicated that the first part is the rezoning to B-RT-S and the second part deals with the special use permit to allow the proposed listing of uses and conditions, one of those being the site plan. He noted that one of the decisions not made on the site plan is whether to allow access to Ashbrook Road, adding he knew it was of concern to residents and staff had received a number of emails both in support and in opposition. He noted that the Planning Board made no decision and wanted to wait for the site plan to come in.

(c) Findings of Fact

Councilmember Burgin read the following Findings of Fact:

- (a) The uses and conditions proposed will not materially endanger the public health or safety if located where proposed and determined according to plan.
- (b) The uses and conditions proposed will be required to meet all preexisting conditions and specifications.
- (c) The uses and conditions proposed will not substantially injure the value of adjoining or abutting properties.
- (d) The location and character of the uses proposed for the site, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with the adopted Salisbury Vision 2020 Comprehensive Plan and other plans for the development of the Salisbury area as adopted by the City Council.

(d) Decision - Z-19S-03

Thereupon, Mr. Burgin made a **motion** to rezone Z-19S-03 to B-RT-S. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING APPROXIMATELY 50,630 SQUARE FEET, LOCATED AT 101 ASHBROOK ROAD (NORTHEAST CORNER OF US-70 AND ASHBROOK ROAD), IDENTIFIED ON FRANKLIN TOWNSHIP TAX MAP 329-C, PARCEL 210 IN WESTCLIFFE SUBDIVISION, SECTION FOUR.

(The above ordinance is recorded in full in Ordinance Book No. 20, Zoning & Planning, at Page No. 9, and is known as Ordinance No. 2004-09.)

(e) Decision - Z-19S-03 - Special Use District Permit

Thereupon, Mr. Burgin made a **motion** that Council having taken the rezoning consideration and having found these facts [See Findings of Fact above] he **moves** to approve Z-19S-03 Special Use District Permit. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE GRANTING A SPECIAL USE DISTRICT PERMIT IN ACCORDANCE WITH THE SPECIAL USE DISTRICT ALONG WITH ITS SPECIAL USES AND CONDITIONS AS DESCRIBED IN ORDINANCE NO. 2004-09

(The above ordinance is recorded in full in Ordinance Book No. 20, Zoning & Planning, at Page No. 10, and is known as Ordinance No. 2004-10.)

(f) Decision - Z-20S-03 - Garris Brothers

Thereupon, Mr. Burgin made a **motion** to approve the Z-20S-03 zoning to B-RT-S. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING APPROXIMATELY 2,004 SQUARE FEET, LOCATED AT 2490 STATESVILLE BOULEVARD (US-70), FURTHER IDENTIFIED ON FRANKLIN TOWNSHIP TAX MAP 329-C AS PARCEL 405, FROM R-20 SINGLE FAMILY-20 RESIDENTIAL TO B-RT SPECIAL RETAIL TRADE BUSINESS.

(The above ordinance is recorded in full in Ordinance Book No. 20, Zoning & Planning, at Page No. 11, and is known as Ordinance No. 2004-11.)

(g) Decision - Z-20S-03 - Special Use District Permit

Thereupon, Mr. Burgin made a **motion** that Council having taken action on the rezoning and having found these facts [See Findings of Fact above] he **moves** for approval. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE GRANTING A SPECIAL USE DISTRICT PERMIT IN ACCORDANCE WITH THE SPECIAL USE DISTRICT ALONG WITH ITS SPECIAL USES AND CONDITIONS AS DESCRIBED IN ORDINANCE NUMBER 2004-11

(The above ordinance is recorded in full in Ordinance Book No. 20, Zoning & Planning, at Page No. 12, and is known as Ordinance No. 2004-12.)

PUBLIC HEARING - 2004-2005 CDBG AND HOME FUNDS

(a) Mr. John Brooks, Community Development Consultant, addressed Council concerning the Community Development Block Grant Program (CDBG) and HOME fund process. He noted that this year is the thirtieth (30th) year of the CDBG Program. He reviewed the schedule for the process noting that after today's public hearing he will return to Council on March 16, 2004 with the first draft of the 2004-05 CDBG and HOME Budget. The adopted budget has to be submitted to the Greensboro Housing and Urban Development (HUD) office by May 14, 2004.

The funds allocated for 2004-2005 are:

\$397,000.00	CDBG funds
\$159,552.00	HOME funds
<u>\$100,000.00</u>	Program Income
\$656,552.00	Total

Mr. Brooks noted that Salisbury is part of the Cabarrus/Iredell/Rowan HOME Consortium, with the City of Concord serving as lead agency.

Mr. Brooks informed Council that several agencies were not able to attend today's public hearing but he has received written requests from Livingstone College and Rowan Helping Ministries. Mayor Kluttz inquired about Livingstone College's request. Mr. Brooks replied that they requested an in-fill housing partnership with the City.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, on the use of 2004-2005 CDBG and HOME funds.

Those addressing City Council concerning the 2004-2005 CDBG and HOME funds were:

Ms. Elizabeth Patton, Executive Director of the Family Crisis Council, thanked Council for their support during the past years. She explained that the Family Crisis Council is a full service agency that deals with domestic violence and sexual assault and has been in existence for twenty-three (23) years. Ms. Patton told Council that they are preparing to move into a new shelter for victims of domestic violence, adding that this was a dream come true. Ms. Patton requested funding for a Night Resident Manager position for the shelter. She stated that this was a crucial position because this was the time of day when they had the most problems. Ms. Patton noted that they are requesting an increase in funding this year because some of the money has gone to the construction of the shelter rather than the general operating funds.

Ms. Fannie T. Butler, President of the West End Community Organization, requested consideration for the West End Community sidewalks.

Ms. Carole Massey, NC Cooperative Extension Service and Rowan County Master Gardner's explained that they are responsible for the West End Community Garden and Park. She requested funding for the garden for operation supplies, implements and materials to improve the Garden and keep the beautification project on-going. She thanked Council for their past support and noted that many people enjoy the Garden. Ms. Massey told Council that there is a large group of children participating this year including a Junior Master Gardner Program and a 4-H horticulture program. She noted that the Parks in Salisbury contribute a great deal to the public.

Ms. Eleanor Qadirah, representing the Board of Directors of the Rowan Blues and Jazz Society, spoke to Council concerning funds for the Rowan Blues and Jazz Society. Ms. Qadirah told Council that their Blues and Jazz festival attracts a diverse audience for the wide range of performers who participate. She noted that they present two (2) annual outdoor blues festivals and an annual blues and jazz family night. Ms. Qadirah indicated that the Blues and Jazz society is not funded by the arts council and depends on donations from businesses and individual memberships. She requested \$8,000 to help supplement the costs of the outdoor festivals. She stated that she has a presentation package to present to Mr. Brook's office.

Ms. Kay Wright Norman, The Learning Curves Child Development Center, told Council that the organization is a non-profit 501(C)(3) organization that serves as a day care for school age children. She told Council that they work to support the needs of children and their families and noted that the children they serve come from Granite Quarry, Isenberg, Overton, Hanford-Dole, and the North Rowan elementary schools. She added that they are typically the children of working poor single mothers. She requested \$10,000 to complete the purchase of computers and software, \$2,500 for student tables, chairs and computer tables, \$2,500 for field trips and transportation, and \$1,000 for new book purchases for a total of \$16,000. Ms. Norman explained that they are attempting to establish a library at the Center to provide books for the children to take home.

Ms. Carolyn Peck, Executive Director of the Community Care Clinic, reviewed the Clinic's program progress report as required in the grant application. She told Council that all clients seen at the Clinic are seen at no charge because of the community and volunteer support. Ms. Peck stated that the Clinic received requests from up to thirty (30) new families that had never asked for assistance during the Pillowtex closing. She stated that the Clinic has provided service to over 6,900 individuals this year and provided 7,200 prescription medications with a retail amount of \$650,000. Ms. Peck stated that the dental clinic has been inundated with clients seeking dental care and the Clinic is the only program offering free dental care to the poor and needy. The assistance provided for qualifying citizens in Salisbury is up 41% during the past twelve (12) months. She thanked Council for their past support and requested consideration for \$15,000 to help with the program.

Mr. Joe Morris, Planning and Community Development Manager, informed Council that he had received a request from the Jersey City Neighborhood who are experiencing problems with a drainage issue. They have also identified as many as sixteen (16) houses that may qualify for rehabilitation.

Since no one else was present to speak regarding the 2004-05 CDBG and HOME budget, Mayor Klutz closed the public hearing.

BUDGET ORDINANCE AMENDMENT FY2003-2004 - OAK GROVE FREEDMAN'S CEMETERY MEMORIAL PROJECT

Mr. Joe Morris, Planning and Community Development Manager, presented a budget ordinance amendment to Council to receive and appropriate \$125,000 for the Oak Grove Freedman's Cemetery Memorial Project. He noted that there will be additional amendments needed as other grants are made available. Mr. Morris stated that the Committee is very close to obtaining their goal of \$215,000 and this is the first installment to allow the project to move forward.

Mr. Morris informed Council that the project design has been submitted to the Historic Preservation Commission (HPC) and will be reviewed on March 11, 2004. Mayor Klutz noted that any concerns regarding the project design should be made to the HPC at that time.

Thereupon, Mr. Kennedy made a **motion** to adopt the budget ordinance amendment. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

AN ORDINANCE AMENDING THE 2003-2004 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA, TO APPROPRIATE DONATIONS FOR THE OAK GROVE FREEDMAN'S CEMETERY MEMORIAL PROJECT.

(The above ordinance is recorded in full in Ordinance Book No. 20, Budget, at Page No. 13, and is known as Ordinance No. 2004-13.)

CONTRACT FOR DESIGN SERVICES, CONSTRUCTION DOCUMENTS AND ADMINISTRATION FOR OAK GROVE FREEDMAN'S CEMETERY MEMORIAL PROJECT

Mr. Joe Morris, Planning and Community Development Manager, explained to Council that the Oak Grove Freedman's Cemetery Memorial Project Committee is prepared to move forward with the finalization of the design, submittal to the Historic Preservation Commission, and specifications for the project. He asked Council's consideration to authorize the City Manager to enter a contract with Maggie Smith, Artist and Reynolds & Jewell, Landscape Architects for this work.

Thereupon, Mr. Woodson made a **motion** to authorize the City Manager to enter a contract with Maggie Smith and Reynolds & Jewell for \$40,850 for the Oak Grove Cemetery Project. Mr. Kennedy seconded the motion. Councilman Burgin noted Article 8, Miscellaneous Provisions, which states that the agreement is governed by law of the artist's and landscape architect's principle place of business and asked if there is a reason why it is not governed by the laws of the place of the project. He stated that he felt it made more sense to have the City's rules apply rather than rules from out of state. Mr. Burgin asked to change the Article to read the agreement is governed by the laws of the state in which the project is located. Mr. Burgin stated he felt this was important and would feel better about the contract, noting it was not a big change. Mr. Morris stated this was a modification that

could easily be made.

Thereupon, Mr. Burgin offered a friendly **amendment** to the **motion** to include this change. Mr. Kennedy seconded the amended motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

LEASE PURCHASE FINANCING - TELECOMMUNICATIONS CAPITAL EQUIPMENT

(a) Ms. Teresa Harris, Budget and Performance Measurement Manager, noted that on December 16, 2003 City Council approved a Resolution authorizing staff to proceed in seeking approval for the lease purchase financing for acquisition, construction, and equipping of certain telecommunications capital improvements. She noted that Council needed to adopt a Resolution of Findings of Fact as required by the Local Government Commission and then award the contract for the financing in the amount of \$1,990,500.

Thereupon, Mr. Lewis made a **motion** to adopt a Resolution of Findings of Fact for lease purchase financing of acquisition, construction and equipping of certain telecommunications capital improvements. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

RESOLUTION OF FINDINGS OF FACT FOR \$1,990,500 LEASE PURCHASE FINANCING

(The above resolution is recorded in full in Resolution Book No. 12, at page Nos. 3-4, and is known as Resolution No. 2004-03.)

(b) The following bids for financing were received:

Financial Institution	7 year Rate	8 Year Rate	9 Year Rate	10 Year Rate
Ashford Capital Corporation	3.191%	3.355%	3.484%	3.593%
BB&T	2.96%	3.37%	3.48%	3.57%
KOCH Financial Corporation	3.85%	3.98%	4.09%	4.21%
RBC Centura	2.69%	2.83%	2.96%	3.09%
Wachovia Bank	2.64%	2.77%	2.93%	3.03%

Thereupon, Mr. Lewis made a **motion** to award a contract with Wachovia Bank, NA in the amount of \$1,990,500 for lease purchase financing for acquisition, construction and equipping of certain telecommunications capital improvements contingent upon Local Government Commission approval. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

COUNCIL COMMITTEE REPORT - DOWNTOWN FARMERS MARKET

Mayor Klutz announced that she and Councilman Burgin met to finalize plans regarding the Downtown Farmers Market and noted that the meeting with local farmers and growers scheduled for Friday, February 27, 2004 was cancelled due to the snow. It has been rescheduled for Thursday, March 4, 2004 at 9:00 a.m. in Council Chambers.

Mr. Joe Morris, Planning and Community Development Manager, described various sites in the central business district that were reviewed for housing the downtown Farmers Market. He noted that the Committee gravitated to the site located at South Main and Bank Streets, which is owned by the City and leased to Rowan Health and Fitness. Mr. Morris stated that during discussions with Rowan Health and Fitness the owners indicated that they feel this will be a benefit to downtown and to their business. Mr. Morris reviewed a preliminary plan designed by Ms. Lynn Raker, Urban Landscape Planner, to create an area for the market at the intersection of South Main and East Bank Streets. He noted that the Committee felt this is a good area because it is highly visible, the City owns the property, and there can be minor improvements to the site.

Mr. Morris reviewed the plan and stated there will be room for twenty-three (23) to twenty-four (24) growers to park and sell. There will be reserved parking for the Health Center and additional parking at the end of the lot. Mr. Morris noted that there will be a Committee meeting to develop the rules for utilization of the site. He noted that the proposal will include a manager for the Market and the requirement of dues for the use of the site. The accumulated revenue will be used towards a permanent Farmers Market in the future.

Mayor Klutz commented that the area originally suggested by Downtown Salisbury, Inc. for use by the Farmers Market is very congested right now, and even if the Market could be placed there, there would be no place for shoppers to park. She stated this was an attractive site because it gave Council a chance to concentrate on South Main Street for development. Mayor Klutz noted that this was a temporary site and will give the City a chance to try the Market for a few years and then evaluate it. She stated that Council will not run the Farmers Market, but only provide a location and support. Operation will be turned over to the Board of Directors, which is comprised mainly of farmers and growers. Mayor Klutz told Council that they will have one seat on the Board of Directors and suggested they appoint Mr. Joe Morris to that seat.

Councilman Burgin stated that this site is a people place and will bring people downtown and feels it is a win-win for everyone.

Councilman Kennedy stated that he really liked the location and commended the Committee on its work.

Council agreed by Consensus to proceed with the recommended site for the Farmers Market.

COMMENTS FROM THE CITY MANAGER

(a) Planning Board Recommendations

Council received the Planning Board recommendations and comments from their February 24, 2004 meeting.

(b) Traffic Detour - Innes Street Bridge

Ms. Wendy Brindle, Traffic Engineer, informed Council that the Innes Street Bridge detour was implemented after 7:00 p.m. on February 25, 2004. She stated that she and Ms. Vicky Eddleman, Traffic Operations, spent most of the following day troubleshooting the traffic light timings and added that she continues to make adjustments this week. Ms. Brindle stated that staff is continuing to work with the North Carolina Department of Transportation (NCDOT) regarding property access concerns and pavement markings and signage improvements. She indicated that the intersection of Innes and Long Streets will be remarked next week. Ms. Brindle told Council that the truck route detour signs are being reevaluated because they are partially obscured in the 100 block of West Innes Street. The westbound direction truck detour route is being studied by (NCDOT) for possible improvements.

Ms. Brindle indicated that there has been trouble with cars turning left onto Fisher Street from Lee Street, which is causing backups on Fisher Street. She noted that they have concerns that this creates delays at Fisher and Long Streets and that there are weight restrictions on the bridge on Fisher Street.

Mayor Pro Tem Woodson stated that he had observed most cars in the detour turning left onto Fisher Street, adding he did not feel this is a problem during certain hours of the day. He commented that Taylor Tire and adjoining businesses are being terribly affected by the barricades. Ms. Brindle told Council that she and a NCDOT inspector met with Mr. Glenn Taylor of Taylor Tire, and are looking at options to allow them access and to move the barricades.

Councilman Lewis noted that he has also observed the majority of the cars turning left onto Fisher Street. Ms. Brindle stated that staff is considering placing a barricade on Fisher Street, which allows only local traffic. Mr. Lewis commented that he has seen Police in the area stopping cars from turning left.

Councilman Kennedy stated that the cars traveling on Fisher Street are continuing into the 400 and 500 blocks where cars park in the eastbound direction. He noted a semi-truck tried to turn onto Fisher Street and became stuck. He added that many of the cars traveling from Bank Street back onto Long Street also continue straight onto Long Street.

Councilman Burgin stated that on the first night of the detour work was being done until 1:00 a.m. and asked if there will be more late night work in the future. Ms. Brindle responded that she was not familiar with the contract and indicated that the first night the contractor worked late because NCDOT required the detour be implemented at night. Ms. Brindle stated that she will attend the monthly construction meetings for the project, with the first meeting being held mid-March, and she will inquire about the time schedules for construction.

Mr. Burgin asked if staff has had a chance to talk with any neighbors in the affected areas to see how they felt the construction and detour were going. Ms. Brindle stated that she has not heard from any neighbors.

Mr. Clyde Overcash, Bank Street resident, stated that he has called the Police three (3) times because of cars going the wrong way on Bank Street. He added that they have not heard from anyone about the construction.

Mr. Burgin recommended Police enforcement for the one way traffic and for speed on Bank Street. He added that moving the barricades in front of Taylor Tire will also be helpful.

Mr. Burgin noted that Mr. Dan Mikkelson, Director of Land Management and Development, had contacted him after the last Council meeting to discuss some of the reasons this detour was chosen, adding that Council needed to insure this detour will still work.

(c) Expansion of ABC System

City Manager David Treme discussed a memo from County Manager Tim Russell concerning expansion of the Rowan County Alcoholic Beverage Control (ABC) System to include the City of Kannapolis. Mr. Treme stated that Rowan County is seeking legislation approval through passage of a local bill to authorize a referendum to allow the citizens to decide on the issue. Currently the ABC revenue is split so that Rowan County receives 50%, Salisbury 30%, and the remaining municipalities the remainder. Under the new plan Rowan County would receive 40%, Salisbury 22.5%, Kannapolis 22.5% and the remaining municipalities would divide the remainder based on their population. Mr. Treme stated that although the percentage will decrease, sales will increase and profits will rise. He noted that this is an issue Council should discuss with the County Commissioners and asked that they give this consideration at a later date.

(d) Property - 1201 Richard Street

City Manager Treme informed Council that an upset bid on property located at 1201 Richard Street, was received from Mr. Tommy Long in the amount of \$10,000, including all conditions as set forth in the notice for bids. He requested that Council consider accepting the upset bid and authorizing

re-advertisement. Mr. Treme added that this property is jointly owned by the City and Rowan County and advertisement for upset bids is contingent upon the Rowan County Board of Commissioners accepting the offer and approving to advertise. He noted that they will consider this at their March 15, 2004 meeting.

Thereupon, Mr. Burgin made a **motion** to accept the upset bid and to re-advertise for an upset bid contingent upon approval by Rowan County. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

(e) Group Development Site Plan G-01-04 – Custom Glass

Mr. Dan Mikkelson, Director of Land Management and Development, presented Group Development Site Plan G-01-04 for Custom Glass. He noted that it is an existing industrial business located on Harrison Road in Salisbury's Extraterritorial Jurisdiction Territory (ETJ). Mr. Mikkelson indicated that the Planning Board called a special meeting to review the site plan and it meets all standards and received recommendation for approval from staff and the Planning Board. He informed Council that Custom Glass will add an addition of approximately sixteen thousand (16,000) square feet to the existing facility, including improvements to the parking lot. Mr. Mikkelson noted that one modification to the plan is to place the required landscaping at Harrison Road rather than on the property line. He commented that the owner feels this will be better for the residents in the area, and the Landscaping Group agreed and provided alternate methods of compliance.

Councilman Burgin commented that in the revised ordinance this is the type of thing that will hopefully be able to be approved administratively since it is the expansion of an existing industry in an industrial area.

Thereupon, Mr. Burgin made a **motion** to accept the site plan review. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

(f) Updated Goals and Outcomes

City Manager Treme reviewed the Outcomes and Goals discussed during the Council Retreat held February 19-20, 2004. The Outcomes and Goals are:

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

1. Prepare a second five-year Police Department Strategic Plan – Police
2. Implement Crime Control Plan – Police
3. Maintain implementation of Project Safe Neighborhood – Police
4. Evaluate an alarm ordinance – Police, Fire
5. Broker projects to improve housing in selected neighborhoods – 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 Oakdale-Union Hill Cemetery Improvements – LM&D, Public Services
9. Evaluate Public announcement methods concerning emergency preparedness – Fire, Police, Utilities
10. Evaluate cost of adding an additional Fire substation – City Manager, Finance, Fire
11. Evaluate consolidating Fire Department dispatch with Police dispatch – Fire, Police, Information Technology

Outcome 2: Expand the tax base and revenue sources

1. Prepare systematic annexation plan – LM&D, Finance, Utilities
2. Publicly support Project Development Financing – City Council, Management Team
3. Identify and promote properties within the City for future in-fill development – LM&D

Outcome 3: Provide quality Parks and Recreation services

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

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

1. 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. Identify opportunities to support Vision 2020 through City operations – LM&D, Management Team

3. Consider smart 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 –
2. Conduct periodic City-County meetings with elected officials as needed – City

LM&D, Utilities
Council

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

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

interested citizens – Human Resources
Human Resources
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,
2. Develop system of standards to measure performance and accomplishments for all
3. Monitor accomplishments in achieving stated standards – Finance, Management
4. Create, monitor, and evaluate departmental strategic plans – City Manager,
5. Periodically evaluate the status of the City’s outcomes and goals – City Council,
6. Continue the City’s goal setting and future directions process – City Council, City
7. Offer American Public Value Leadership training for City Council, Management
8. Council to review election methods with the Institute of Government

Management Team
City departments – Finance, Management Team
Team
Management Team
City Manager, Management Team
Manager, Management Team
Team, and other local elected officials

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

citizens

1. Participate in the Regional Environmental Sustainability Project – City Council,
2. Provide appropriate training for all boards and commissions – LM&D, Human
3. Complete a feasibility study for an educational television access channel –
4. Evaluate the need for a policy for the development of affordable housing in

LM&D, Management Team
Resources, Parks & Rec
Information Tech
Salisbury – LM&D, Utilities

Outcome 11: Improve and enhance Downtown Salisbury

1. Partner with DSI to implement the Downtown Salisbury Master Plan – LM&D
2. Implement recommendations of DSI Parking Committee – LM&D, Public
3. Conduct a downtown ADA compliance audit – LM&D, Human Resources, Public

Services
Services

Outcome 12: Streamline development review process and ordinances

1. Continue development of project tracking software – Utilities, LM&D,
 2. Establish “one-stop permitting” – LM&D, Utilities
 3. Review construction standards – LM&D, Utilities
 4. Seek local permitting authority for utility extensions – Utilities, LM&D
 5. Salisbury-Rowan Utilities to update and enforce existing State-mandated plans
- authority) – Utilities, LM&D

Information Technology

and programs (necessary to achieve local permit

Outcome 13: Provide quality water and wastewater services to Rowan County that health, improve the quality of

life, support planning growth, and maintain public trust

1. Operations – Utilize resources to effectively and efficiently maintain and operate infrastructure, and processes, while providing the environment – Utilities, Finance existing and future equipment, superior quality water and wastewater services and protecting public health and
2. Rates/Revenue – Manage the utilities in a manner that optimizes the utilization of Utilities to charge competitive and Finance affordable rates, while providing for capital and operational needs – Utilities, Finance resources and enables Salisbury-Rowan
3. Customer Services – Provide accessible and responsive services and address Utilities, Finance customer needs efficiently and accurately –
4. Human Resources – Attract, retain, and reward a team of qualified employees mission – Utilities, Human Resources committed to the Salisbury-Rowan Utilities’
5. Stakeholder Communications – Be proactive in providing information, education, Utilities and public communication services –

6. Planning and Community-Wide Development – Operate Salisbury-Rowan supportive of the strategic plans of client communities – Utilities

Utilities according to well-defined plans

Outcome 14: Create a positive business climate in Salisbury and Rowan County

1. Explore the feasibility of creating a business incubator for Salisbury – LM&D, Organizations Management Team, selected Development
2. Evaluate the need and options for business and development incentives – Utilities, Development Organizations LM&D, Management Team, selected
3. Serve as a catalyst to develop a consolidated strategic business initiative for Team, LM&D, Rowan County, selected Development Organizations Rowan County – City Council, Management
4. Evaluate City-County consolidation of the development review process – City Council, City Manager, LM&D, Utilities, Rowan County
5. Investigate entrepreneurial loan pool and funding options – City Manager, Organizations, Financial Institutions LM&D, selected Development
6. Downtown Salisbury to take inventory of types of businesses that are of interest to young people and make recommendation – Downtown Salisbury
7. Foster a customer service attitude among all City workers – City Manger, Finance, Management Team
8. Establish a downtown Farmers Market – City Council, LM&D, City Manager, Public Services, Downtown Salisbury, NC Cooperative Extension

Mr. Treme explained that with Council approval these are the Outcomes and Goals that will be included in the budget for FY2004-2005.

(g) Water/Sewer Extension Policy Update

City Manager Treme noted that Council has discussed water and sewer in relation to development and stimulating business development in the community. He distributed a draft copy of Economic Development Funding Policies and noted that some of the policies relate to water and sewer and some to business. Mr. Treme stated that the City would like to fund development projects from three separate funds: the water/sewer fund; the general fund; and the community development fund.

Mr. Treme reviewed the Salisbury-Rowan Utility Development fund and stated the plan would use fees for the extension of water and sewer projects. This would be based on an existing policy which is based on a total net payback. Mr. Treme explained that the City will not have to fund the projects up front, but the developer funds the project and, based on performance, the City reimburses the developer. If the developer sells twenty-five percent (25%) of the project, the City reimburses thirty-three percent (33%) of the costs. At fifty percent (50%) the City reimburses sixty-six percent (66%), and at seventy-five percent (75%), the City reimburses one hundred percent (100%). He added that he felt this will provide incentives to projects that have been on hold due to money.

Mr. Treme stated that Council has discussed the need for affordable housing and the City will offer an incentive to developers based on location. He noted that extension to promote in-fill development within a municipality, including Granite Quarry, Rockwell and Spencer is recommended in an effort to promote in-fill within the ETJ of a municipality.

Mr. Treme explained that projects are given points based on their location, consistency with a comprehensive growth plan, and timing. Projects with the highest scores will be funded with the money that is available and those that are not funded can resubmit in another funding cycle. Mr. Treme noted that the cycle will be determined based on the money available.

Another fund being discussed is the Salisbury Development Fund which will be funded by the City. This fund will be used to aid in the funding of development projects within the City. Mr. Treme explained that to qualify for these funds a project must:

- Be within the City limits or in an area that agrees to voluntary annexation
- Be in compliance with all Salisbury's and Salisbury-Rowan Utilities Department (SRUD) design requirements
- Support development that is consistent with the City's Vision 2020 Plan

The criteria used to consider the projects includes:

- Location
- Redevelopment of Brownfield and Grayfield areas
- Impact on tax base
- Supports smart growth
- Provides additional employment opportunities
- Provides affordable housing
- Timing of construction

Mr. Treme noted that this is a new venture and recommended a Council Committee to continue to work with staff in developing the Salisbury Development Fund, as well as review the Salisbury-Rowan Utility Development Fund. He added that during this process he would like to go ahead and advertise the Salisbury-Rowan Utility Development Fund to allow projects to begin.

Mayor Klutz appointed Councilmen Kennedy and Lewis to a Council Committee to work with staff on the development of these funds. Councilman Burgin stated that he would also like to work with staff on the Salisbury Development Fund. Mr. Treme indicated the meetings will be public

and everyone is invited to participate.

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MAYOR'S ANNOUNCEMENTS

(a) Project SAFE Salisbury

Mayor Kluttz announced that Project SAFE Salisbury - Mayor's Community Intervention Team will meet Thursday, March 4, 2004 at 12:00 p.m. in the Council Chambers at City Hall.

(b) Recognition of Public Services

Councilman Lewis expressed his congratulations to Vernon Sherrill, Public Services Director, and staff for their outstanding work during the snow storm.

Mayor Kluttz also commended Ms. Wendy Brindle, Traffic Engineer, for working during the snow storm on the traffic lights in the detour for the Innes Street Bridge.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Woodson, seconded by Mr. Burgin. All council members agreed unanimously to adjourn. The meeting was adjourned at 7:02 p.m.

Mayor

City Clerk