

Salisbury, North Carolina  
January 15, 2008

## **REGULAR MEETING**

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

**ABSENT:** None

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Councilman Kennedy.

## **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 and welcomed members of the Rowan County Board of Commissioners: Chairman Arnold Chamberlain, Commissioner Jon Barber, Commissioner Tina Hall, and Commissioner Jim Sides.

## **ADDITIONS/DELETIONS TO THE AGENDA**

Mayor Kluttz noted the following change to the Agenda:

Omit item 19 – Council to consider an appointment to the Salisbury Planning Board.

**RESOLUTION RECOGNIZING MELISSA HASTY TAYLOR**

Mayor Kluttz recognized Melissa Hasty Taylor who has served as Human Resources Director for the City of Salisbury since March 18, 1992. She noted that Ms. Taylor has accepted a position as Human Resources Director with the City of Winston-Salem. Mayor Kluttz read a Resolution recognizing Ms. Taylor and presented it to Council for consideration.

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

**RESOLUTION RECOGNIZING MELISSA HASTY TAYLOR.**

(The above resolution is recorded in full in Resolution Book No. 13 at Page No. 5, and is known as Resolution No. 2008-04.)

Mayor Kluttz recognized Ms. Taylor and her husband David and asked Ms. Taylor to come forward. Mayor Kluttz presented a framed copy of the Resolution to Ms. Taylor. Ms. Taylor expressed her gratitude to Council for their support throughout her time with the City. She also thanked City Manager David Treme, members of the Management Team and staff and noted that it has been an honor and a blessing to work with the City.

Mayor Kluttz thanked Ms. Taylor for her work beyond her job and all that she has done for the community to help improve race relations. Councilman Kennedy wished Ms. Taylor the best of luck and commented on what a difference she has made in Salisbury.

City Manager David Treme noted that Ms. Taylor has been a blessing and a friend. He stated that when she began work with the City her office was located in The Plaza and he then presented Ms. Taylor with a framed print of The Plaza by local artist Robert Toth.

**PROCLAMATION**

Mayor Kluttz proclaimed the following observances:

DR. MARTIN LUTHER KING, JR. DAY	January 21, 2008
CATHOLIC SCHOOLS WEEK	January 27 – February 3, 2008
NATIONAL MENTORING MONTH	January 2008

Mayor Kluttz commented that she feels mentoring is particularly important in the community because it was recognized at the Gang Prevention Summit as one of the eight (8) strategies to prevent gangs.

Mr. Doug Paris, Assistant to the City Manager, stated that one of the strategies of the Salisbury-Rowan United Action Agenda is to provide mentoring and tutoring programs for youth. He noted that Salisbury is blessed with several outstanding mentoring programs and he reviewed each program and provided contact information:

- Rowan Communities in Schools – [www.cisrowan.org/](http://www.cisrowan.org/) 704-797-0210
- Rowan Youth Services Bureau X2 Mentoring – [www.rowanysb.com](http://www.rowanysb.com) 704-633-5636
- Salisbury YMCA Black Achievers – [www.rowanymca.com](http://www.rowanymca.com) 704-636-0111
- St. John’s Lutheran Church Barnabas Connection – [www.stjohns-salisbury.org](http://www.stjohns-salisbury.org) 704-636-3431

Mr. Paris announced that the City is developing a policy to encourage City employees to mentor in the community and a report regarding the policy will be provided to Council in the near future.

Mayor Kluttz recognized the groups in attendance which were: Rowan County Youth Services Bureau X2 Mentoring, Ms. Liz Tennent; Communities in Schools, Ms. Vicky Slusser; YMCA Black Achievers Club, Ms. Sandy Flowers; St. John’s Lutheran Church Barnabas Connection; and the Overton Parent Teacher Association (PTA) President, parents, and students. She thanked everyone for being present and for what they do for the community.

## **CONSENT AGENDA**

(a) Approval of Minutes

Approve Minutes of the Regular meeting of January 2, 2008.

(b) Group Development Site Plan G-20-07

Approve group development site plan G-20-07 Lincolnton Road Storage, LLC, 1208 Lincolnton Road.

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

## **RESOLUTION OF CONSIDERATION OF ANNEXATION**

Mr. Joe Morris, Planning and Community Development Manager, addressed Council regarding a Resolution of Consideration of annexation. He explained that the Resolution identifies areas outside the City limits that may be urban or urbanizing that might be considered for future annexation by the City. He noted that this is authorized under the provision of Chapter 160A, Article 4A, Part 3 of the North Carolina General Statutes.

Mr. Morris reviewed a map depicting the boundaries of the area of consideration and noted that the original adoption date of the Resolution was December 16, 2003. He added that this will be the fifth time that this particular area of consideration has been proposed. He stated that the boundary noted in the Resolution originated through the study area done with the Salisbury Vision 2020 Plan as a potential growth area for the City.

Thereupon, Mr. Lewis made a **motion** to adopt a Resolution identifying the area described herein as being under consideration for annexation. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

A RESOLUTION IDENTIFYING THE AREA DESCRIBED HEREIN AS BEING UNDER CONSIDERATION FOR ANNEXATION.

(The above resolution is recorded in full in Resolution Book No. 13 at Page Nos. 6-7, and is known as Resolution No. 2008-05.)

## **OUTCOME AND GOAL 3:3 EXPLORE CREATION OF AN AIRPORT DEVELOPMENT ZONE**

Management Services Director John Sofley reviewed City Council Outcome and Goal 3.3 to support Rowan County in the promotion and development of the Rowan County airport and to explore the creation of an Airport Development Zone. Mr. Sofley reviewed the history that lead to this goal:

- April 2004:
  1. Rowan County initiated discussion on a “development zone” in and around the airport
  2. Council Committee was formed to discuss possibility
- February 2006
  1. At the annual goal setting retreat City Council adopted Goal 3.7 and 3.8
    - 3.7-Support Rowan County in the promotion and development of the Rowan County Airport
    - 3.8-Explore the creation of an Airport Development Zone

- February 2007 – January 2008
  1. Council received a report from the City Manager on the draft airport development zone economic incentive agreement
  2. Management Services Director John Sofley explained the proposed agreement
  3. Draft agreement sent to Rowan County for their review and input

Mr. Joe Morris, Planning and Community Development Manager, stated that in light of recent discussions staff compared other local airports in the region:

<u>Airport</u>	<u>City Limits?</u>	<u>Runway Length</u>
Rowan County	Partial	5500
Concord	Yes	7400
Statesville	Yes	7006
Lexington	Yes	5000
Stanly County	No	3500/5500

Mr. Morris then reviewed those that are comparable local competitors:

<u>Airport</u>	<u>Tax Rate</u>	<u>Runway Length</u>	<u>City Limits?</u>
Rowan County	\$1.185	5500	Partial
Concord	\$1.0775	7400	Yes
Statesville	\$.825	7006	Yes

Mr. Sofley reviewed the draft Airport Development Zone Economic Incentive Grant agreement:

1. Incentive Grant payable out of ad valorem real and personal property taxes
2. Fifty (50) percent of the value of the ad valorem taxes will be paid to the qualified taxpayer within the zone
3. Payable only to Airport related businesses
4. Only available to qualified property owners within the Airport Development area

Mr. Sofley reviewed a map of the proposed area to be covered by the Airport Development Zone. He pointed out the portions of the area currently located within the City of Salisbury and those that are not.

Mr. Sofley then explained the different options available if the Plan is adopted:

- Option 1: Joint Agreement – Rowan County and the City of Salisbury both agree to provide the fifty (50) percent grant. He pointed out that the fifty (50) percent is used only as a point of reference and the exact amount could be decided in the future.

Effect of Option 1 on tax rate:

<u>Airport</u>	<u>Effective Tax Rate</u>
Rowan County	\$.5925
Statesville	\$.825
Concord	\$1.0775

- Option 2: City Only Grant – the City of Salisbury provides the fifty (50) percent grant and Rowan County does not participate

Effect of Option 2 on tax rate:

<u>Airport</u>	<u>Effective Tax Rate</u>
Rowan County	\$.89
Statesville	\$.825
Concord	\$1.0775

Mr. Sofley then reviewed a comparison of Options:

<u>Airport</u>	<u>Current</u>	<u>Option 1</u>	<u>Option 2</u>
Rowan County	\$1.185	\$.5925	\$.89
Statesville	\$.825	\$.825	\$.825
Concord	\$1.0775	\$1.0775	\$1.0775

Mayor Kluttz thanked staff for their presentation.

### **COMMENTS FROM ROWAN COUNTY BOARD OF COMMISSIONERS**

Mayor Kluttz opened the floor to receive comments from the Rowan County Board of Commissioners.

Chairman Arnold Chamberlain indicated that this is the first time he has seen the information just presented by staff. He stated that the draft economic incentive document may be in the County office but he has personally never seen it before. He commented that as a County Commissioner he hopes the City will not annex the airport, but as a City taxpayer he understands. Mr. Chamberlain stated that sometimes cities do things that are legal that counties do not like just as counties do things that are legal that cities do not like and it is just the way it is. He commented that if the City is going to complete annexation of the airport he likes the information that was just presented. He stated that if the major concern about developing and growing the Rowan County Airport is the double tax rate then the information presented indicates that this will not be a concern. Mr. Chamberlain indicated that he has been assured City Council is willing to work with the County and the County Commissioners are certainly willing to work with the City. He stated that he looks forward to more discussions with the City. He also invited

Council to attend the Airport Technical Advisory Committee meeting that will be held in March. He noted that he and Commissioner Sides serve on the Committee and he feels they will be able to achieve many good things.

Commissioner Jon Barber indicated that he too had not seen the information presented earlier, but he is impressed. He commented that the City and County are in economic development together and that what is good for Salisbury is also good for Rowan County and he understands both sides of the annexation argument. He added that as annexation relates to the airport he feels it is a special case because the airport is an asset of both the City and County. He noted that he feels having a dual tax at the airport makes us less attractive to new companies or individuals wanting to locate their airplanes in Rowan County. Mr. Barber proposed that an economic development zone be established for the airport making the dual tax rates in line with competitor's tax rates. He also asked Council to consider asking staff to meet with County staff and the new Economic Development Director to begin developing this concept. He commented that he would like the City and County to work together to establish Rowan County as a place where people want to do business as well as a wonderful place to live, work and raise a family.

Commissioner Tina Hall thanked Council for the opportunity to see the presentation regarding an airport development zone and indicated it appeared interesting. She asked Council to consider a moratorium on taxes at the airport. She stated that the County is trying to develop the airport by extending the runway and building executive hangars. She added that she feels this will bring more businesses into the community which will bring more jobs. She commented that the County is vulnerable with Frieghtliner and Invista and needs to bring in new businesses and she feels the airport can be a magnet. Ms. Hall stated that businesses view the airport as the front door to the community. She asked Council to consider the moratorium to give Commissioners time to develop the airport. She indicated that she hopes the two (2) boards can meet again and exchange ideas to bring in new businesses.

Commissioner Jim Sides noted that when Summit Corporate Center was being developed the City and County reached an agreement that the area would not be annexed to give the County an opportunity for it to be developed. He commented that although that did not work quite as well as both boards had hoped he feels it will continue to develop in the future. He stated that the airport is different than Summit Corporate Center and the main benefit from the airport's development will be the businesses that relocate here because of it. He noted that he feels the double tax rate is a big detriment to the development of the airport. Mr. Sides stated that the County is going to spend millions of dollars developing the airport, not necessarily just for the airport, but to develop the property surrounding the airport. He commented that there have been major changes at the airport in the past five (5) years and he feels it is now an airport people respect. He stated that there are many water and sewer projects that the City and County participate in together but when the systems are turned over to the City the assets become the City's. He noted that everyone gains in the long run but in the short term he feels it has benefited Salisbury-Rowan Utilities much more than it has benefitted the citizens of

Rowan County. He commented that when the County spends money to extend water and sewer lines in the county they are in effect requiring the citizens to pay for their own annexation. He stated that with these joint efforts in mind, Council should consider that the airport is a major player in the economic development of Rowan County. Mr. Sides stated that with the growth around Rowan County he has seen retail developing and he feels the airport would be better served with a better tax rate. He added that he feels if this draws in new clients the County will be able to bring in the clients' businesses as well.

Mayor Kluttz then closed the floor from comment.

Mayor Kluttz expressed Council's appreciation to the County Commissioners for attending the meeting and sharing their wisdom, knowledge and opinions. She stated that the fact that the Commissioners indicated they had not seen the plan is an indication that the City and County need to communicate better. She added that she hopes there will be additional meetings and more communication. Mayor Kluttz stated she is excited about the proposal and it appears to her to be a logical way to do what everyone wants.

City Manager David Treme stated that during discussions for developing the Airport Development Zone Economic Incentive grant agreement there was also discussion regarding the creation of an airport development fund. He explained that if the combined rate is set just higher than the combined City and County tax rate then the funds above the rates could be placed into an airport development fund to be used for construction as the area develops. He noted that the idea is not included in the draft agreement but it could be discussed as the idea progresses. Mr. Treme stated that he will forward an additional copy of the draft agreement to the County to ensure that Commissioners have an opportunity to review it.

Mayor Pro Tem Woodson stated that there is no question that a lower tax rate would save money and he feels with the extension of the runway and hangar additions many planes will be brought to the airport. He indicated that he preferred the option of the City and County equally participating and he feels this will encourage many people to look at the airport.

Councilman Kennedy suggested that since the information is new to the Commissioners a Council Committee should be appointed to work with Chairman Chamberlain and Commissioner Sides, as members of the County's Airport Technical Review Committee, to meet and discuss the proposal.

Councilman Burgin commented that he has had an informal conversation with Mr. Chamberlain regarding the City's interest in the airport and Mr. Chamberlain was clear that he did not want the airport to be annexed. Mr. Burgin stated that he has seen a number of combinations that could allow the airport to keep a competitive edge but the final combination needs to be discussed. He indicated that he does not see the City going to a zero (0) tax rate but he feels Council will do all that it can to stay competitive. Mr.

Burgin stated that he is excited about the potential of the development zone and he feels the airport is a jewel for the County.

Mayor Kluttz indicated that she wanted to make it clear that the City will not de-annex anything that has been annexed and will continue with planned annexations. She stated that she knows that the two (2) Boards will have a difference of opinion on this and will not be able to resolve this particular issue. She commented that she just wants to make it very clear in joint discussions that de-annexation is not on the table but she hopes that the boards will be able to work together to show that the Council and Commissioners both want a low tax rate and are willing to work together.

Mayor Kluttz appointed Councilman Burgin and Mayor Pro Tem Woodson to serve on the Council Committee to meet with the County to discuss the airport development zone. She commented that Council looks forward to the discussions continuing.

Mayor Kluttz asked all of the County employees present to stand and thanked them for being in attendance.

Chairman Arnold Chamberlain thanked Council for inviting Commissioners to speak and introduced Mr. Tony Hankerson, Rowan County Airport Manager.

### **VOLUNTARY ANNEXATION – WALLACE COMMONS**

Mr. Patrick Ritchie, Engineer, indicated that Wallace Commons is a commercial development currently in progress located at the corner of Julian Road and Klumac Road. He stated that the owners have petitioned the City to voluntarily annex the site. He pointed out that the entire site covers 45.322 acres and the petition along with the notice of public meeting referenced that size. He stated that staff has discovered that a little more than an acre of the site was already in the City limits so the Ordinance presented to Council has been modified to reflect 44.297 acres. Mr. Ritchie informed Council that staff reviewed this with the City Attorney and since the actual site is smaller than the advertised area and the advertised area included the area proposed for annexation, no re-advertisement is required.

Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, regarding voluntary annexation of Wallace Commons.

Mr. Mike Robey, 3915 Old Field Road, Charlotte, NC, indicated he was present on behalf of the developer. He stated that they are excited to bring this site into the City limits and it will create a tax base for the City.

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

Thereupon, Mr. Woodson made a **motion** to adopt an Ordinance to extend the corporate limits of the City of Salisbury, North Carolina 44.297 acres to include Wallace Commons, effective June 30, 2008. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, 44.297 ACRES TO INCLUDE WALLACE COMMONS.

(The above Ordinance is recorded in full in Ordinance Book No. 22 at Page Nos. 2-3, and is known as Ordinance No. 2008-02.)

**PIEDMONT PLAYERS PRESENTATION – NEW THEATER ON FISHER STREET**

Mr. Reid Leonard, Director of Piedmont Players Theater, and Mr. Perry Peterson, Peterson, Gordon Architects, updated Council on plans to build a children’s theater on Fisher Street. He indicated that Piedmont Players Theater has hit a wall in terms of revenues that could be generated without increasing the price of tickets and the Board of Directors for Piedmont Players had long considered a second theater to be the solution to the problem. He noted that the Friendly Cue Pool Hall facility located at 131 East Fisher Street became available and their Board quickly decided to purchase the facility because it backs up to the Piedmont Players property.

Mr. Leonard noted that they have many children that participate in their productions but there are no real productions for junior high or senior high students. He explained that their idea is for the Meroney Theater to continue as an adult theater with an expanded youth program for junior and high school students in a new children’s theater to be located in the former Friendly Cue location. Mr. Leonard stated that he anticipates construction starting on the new theater this summer.

Mr. Leonard informed Council that several years ago Piedmont Players purchased the building where Chef Santos is located at 123 East Fisher Street and anticipate this becoming rental income to help support the theater program. He noted that most of the buildings on Fisher Street have historical architecture and he displayed a picture of the Salisbury Laundry building that was on the site where the Friendly Cue now stands. Mr. Leonard noted that Mr. Peterson, the architect, drew from this photograph for inspiration for the new facility and he displayed a rendering and video of how the redesigned building will look.

Mr. Peterson indicated that the Piedmont Players Board of Directors is still in the early planning stages for the theater and noted that it has been decided that this will be a green building that is Leadership in Energy and Environmental Design (LEED) accredited. He noted that he feels the building will be designated as a LEED silver and

he pointed out that less than five (5) percent of theaters in the United States are LEED certified.

Mayor Kluttz thanked Mr. Leonard and Mr. Peterson for their presentation. She noted that she likes the fact that Piedmont Players is expanding, that this will continue downtown revitalization on Fisher Street, will be environmentally friendly, and displays the generosity of the citizens who donate money. Mr. Leonard indicated that Piedmont Players has reached fifty (50) percent of its goal in fund raising efforts. Mayor Kluttz stated that another important aspect of the project is that it will bring arts to children and she feels this fits with gang prevention efforts.

Mr. Edward Norvell, Piedmont Players Board member, indicated that he and Mr. Paul Fisher are chairing the fundraising campaign and noted that this project is being funded almost entirely from private funds. He stated that he is very proud that they have reached over half of their goal and everyone has been very excited about the project. He added that they hope to work with City staff to make this whole area attractive.

Mayor Kluttz indicated the group has Council's support and she looks forward to working with them on this project.

## **HIGHLIGHTS AND GOALS FROM COMMUNITY APPEARANCE COMMISSION, HISTORIC PRESERVATION COMMISSION AND PARKS AND RECREATION ADVISORY BOARD**

### Community Appearance Commission

Ms. Barbara Perry, Community Appearance Commission (CAC) Chair, and Urban Design Planner Lynn Raker presented Council with the CAC goals for 2008 and highlights of 2007.

#### Highlights 2007

- Municipal Service District (MSD) Grant
  - 2006-07 Awarded twelve (12) MSD Incentive grants
    - Total grants - \$22,000
    - Total Project amounts - \$220,350
- Innes Street Grant
  - 2006 Awarded eleven (11) Street Improvement grants
    - Total grants - \$23,400
    - Total Project amounts - \$270,350
- Art in Public Places Committee
  - Fabrication of sixteen (16) History and Art Trail markers; twelve (12) installations; four (4) dedications
  - Publication of History and Art Trail brochure

- Installation of temporary sculpture and planning for annual sculpture show
  - Planning for Salisbury Cotton Mill project
- Neighborhood Leaders Alliance
  - Biannual meetings
  - Continued support for Better Housing
  - Creation of web page for neighborhood resources  
<http://www.salisburync.gov/lm&d/Neighborhoods/Neighborhoods.html>
  - No parking in front yard with Land Development Ordinance
- Neighborhoods and Education Committee
  - Installation of two (2) entrance signs in the Park Avenue Neighborhood
  - Co-sponsored Spring and Fall spruce-up with Public Services department
  - Working with Livingstone College on Adopt-a-Street program
- Landscape Committee
  - Eight (8) Landscape of the Month awards
  - Replaced Landscape of the Month signs
  - 3<sup>rd</sup> Annual Holiday Storefront Decorations award
- Miscellaneous activities
  - Member participation on Cultural Action Plan Steering Committee
  - Joint Planning Board/CAC Committee to review request for LED signs

#### 2008-09 Goals

- Continue efforts to promote better housing conditions, which may include but not be limited to policy changes, stricter codes and inspections between rentals, an increase in enforcement staff, and a Council-appointed Housing Commission.
- Partner with Downtown Salisbury, Inc. (DSI) to initiate planning and funding for major downtown streetscape improvements that would include but not be limited to sidewalks, pedestrian lighting and furniture, street trees, parking lot upgrades, and improvements at the Square.

#### 2008-09 Goals Requiring Funding

- Continue the Municipal Service District Incentive Grant program - \$35,000
  - Public Investment 1981-2007 - \$352,000
  - Private investment 1981-2007 - \$4,700,000
- Continue the Innes Street Incentive Grant program - \$35,000
  - Public investment 1996-2007 - \$209,400
  - Private investment 1996-2007 - \$3,893,500
- Host speaker/conduct public educational program in support of Cultural Action Plan - \$2,500

- Continue the promotion of the spring and fall “Spruce-up Days,” “Landscape of the Month,” “Adopt-a-Salisbury Street,” and other programs - \$1,800
- Improve appearance, comfort and maintenance of downtown streetscape with 3-year phased purchase and installation of additional trash receptacles and benches - \$5,000
- Complete installation of Fairview Heights and Jersey City entrance signs - \$3,200
- Add receptacles to medians on both sides of the new East Innes Street railroad bridge - \$2,500
- Continue to expand Salisbury History and Art Trail marker program and initiate annual sculpture show - \$20,000

#### Key Goals

- Continue to serve as liaison for neighborhood leaders. Host biannual neighborhood leaders meetings
- Support Downtown Salisbury, Inc. (DSI) efforts to development maintenance ordinance for downtown buildings
- Continue to raise awareness of public art opportunities

#### Historic Preservation Commission

Ms. Anne Lyles, Historic Preservation Commission (HPC) Chair, and Senior Planner Janet Gapen presented the HPC Highlights and Goals to Council.

#### 2007 Activity

- Certificates of Appropriateness
  - Granted 54
  - Denied 2
  - Withdrawn 6
  - Deferred 0
  - Total 62
- Minor Works Approved by:
  - Staff 116
  - Committee 77
  - Total 193

#### Highlights

- Historic Preservation Incentive Grants
  - \$30,000 budget
  - \$21,500 committed in first cycle of awards
- Public Information Campaign – Newsletters
  - Mailed to all property owners
  - Provide contacts and other helpful information
- Public Information Campaign – Board of Realtors August 7, 2007
  - More than eighty (80) local agents and brokers
  - Distributed maps, staff contacts, CD of guidelines

- 2<sup>nd</sup> Annual Preservation Month Events
  - Coloring contest
  - Ice cream social at the Bell Tower
  - Historic Preservation Commission information booth at Friday Night Out
- Demolition Prevention Measures Enacted
  - House Bill H1202 ratified June 21, 2007
  - Local Ordinance adopted August 21, 2007

2008-09 Goals

- Provide local match for federal Historic Preservation Fund grant to complete National Register inventory updates and expansions for the following districts:
  - Salisbury Historic District (Downtown and West Square) (1975)
  - Livingstone College Historic District (1979)
  - Brooklyn-South Square Historic District (1985)
  - North Main Street Historic District (1985)

\$20,000
- Continue Historic Preservation Incentive Grant Program for residential restoration and maintenance projects \$30,000
- Provide assistance to the Fulton Heights Neighborhood Association and residents as they consider the benefits and drawbacks of local historic district designation
- Promote statewide legislation for regulation of demolition in all historic districts
- Support efforts to improve the condition of housing and to develop a commercial maintenance code
- Develop a preservation plan for the City of Salisbury
  - What have we accomplished since the first district was established in 1975?
  - Where are we headed in the future?
- Continue efforts to increase public awareness about historic districts
  - Newsletters
  - Access16
  - Updated website
- Continue efforts to inform real estate agents and brokers about historic districts
- Continue efforts to inform new residents about historic district guidelines
- Take advantage of training opportunities for commission members and staff
- Study the benefits and drawbacks of fees for Certificates of Appropriateness
- Continue creating a digital archive of photographs of historic district properties
- Coordinate 3<sup>rd</sup> Annual Preservation Month events – May 2008

## Parks & Recreation Advisory Board

Mr. Jimmy Greene, Parks and Recreation Advisory Board member, and Parks and Recreation Director Gail Elder White presented the 2007-2008 Highlights and Goals for the Parks and Recreation Advisory Board.

### 2007 Highlights

- Centennial Park Opening
  - Grants received from the Woodson Foundation, the Robertson Foundation, the LandTrust for Central North Carolina and neighborhood fundraisers
- Received funds for new tennis courts at City Park
- Received Fit Community Designation
- Installed rock climber at City Park
- Installed dog waste stations
  - Stations were installed in City parks, on the Salisbury Greenway and in City operated cemeteries
- Grant Funding
  - Parks and Recreation Trust Fund (PARTF) grant received for Phase I renovations of the Sports Complex
- Extensive use of Salisbury Community Park
  - More than three hundred ninety-four thousand nine hundred seventy-seven (394,977) visitors served
  - Rowan Little League Baseball
  - Girls Softball League
  - Rowan Alliance Youth Soccer
    - Youth Recreation League
    - Youth Challenge League
  - Hispanic Adult Soccer League
  - Thirteen (13) softball tournaments
  - Salisbury High School's Tri-County Cross Country meet
  - Catawba Cross Country meet
  - North Carolina Cyclo-Cross second race of the season
  - 6<sup>th</sup> Annual Fishing Derby

### 2008 Goals – Priority Level 1

- Renovate Lincoln Park pool into splash/spray pad - \$150,000
- Provide financial support of the five (5) year Parks and Recreation Capital Improvement Plan
- Provide full annual allocation of funds for renovation of existing parks - \$125,000
- Renovation of the Sports Complex, Phase 2 - \$650,000
- Complete table and chair replacement at the Civic Center - \$23,000
- Provide funding for renovation and additions to the existing Civic Center - \$1,500,000 for gym addition - \$200,000 to begin park development

### 2008 Goals – Priority Level 2

- Neighborhood park land acquisition, east of I-85 - \$125,000
- Provide funding to recruit tournaments and events to our parks – implement into the operating budget
- Design and development of a Hall of Fame building at the Salisbury Community Park and Athletic Complex

### Supporting Goals

- Support continued design and development of the Salisbury Greenway
- Support neighborhood problem solving, through programs and park renovations in Jersey City and North Main Street areas

## **RESOLUTION OF SUPPORT – CAROLINA THREAD TRAIL**

Mr. Dan Mikkelson, Director of Land Management and Planning, and Ms. Ann Browning, Carolina Thread Trail Project Director, addressed Council regarding the Carolina Thread Trail Resolution of Support. Ms. Browning stated that the Carolina Thread Trail concept is a regional effort to plan and construct a network of greenways and trails throughout fifteen (15) counties in North and South Carolina. She noted that after researching other projects they developed a model using the three (3) core principals of connectivity, community self-determination and private funding serving as a catalyst for the trail systems.

Ms. Browning stated that the Carolina Thread Trail is currently in a campaign to raise \$40 million in order to award grants to communities to plan, design, acquire land and easements and build trails. She indicated that \$17 million has already been raised.

Mr. Mikkelson stated that the Carolina Thread Trail effort is consistent with the Vision 2020 Comprehensive Plan, Council's interest in regional planning initiatives, and Salisbury's designations as a Fit Community and a Cool City. He indicated that staff recommends adoption of the Carolina Thread Trail Resolution.

Mayor Kluttz pointed out that she attended the Carolina Thread Trail kick-off fundraiser and was very impressed with the support given to this initiative.

Thereupon, Mr. Lewis made a **motion** to adopt a Resolution of Support for the Carolina Thread Trail. Mr. Woodson seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

### RESOLUTION OF SUPPORT.

(The above Resolution is recorded in full in Resolution Book No. 13 at Page No. 8, and is known as Resolution No. 2008-06.)

## **NORTH CAROLINA HEALTH AND WELLNESS TRUST FUND – FIT COMMUNITY GRANT**

Ms. Janet Gapen, Senior Planner, stated that in July 2007 Council adopted the North Main Street Small Area Plan. She added that one of the recommendations included in the plan was an improved pedestrian connection to City Park and West Miller Street which was identified by residents as a preferred location to provide the connection.

Ms. Gapen pointed out that in November 2007 a Request for Proposal (RFP) was announced for the Fit Community Program and staff determined that the sidewalk project matched the goals and criteria for this grant program which would provide an additional \$60,000 for a total of \$115,000 to initiate an impact project. She stated that staff investigated ways to expand the scope of the sidewalk project to benefit the North Main Street neighborhood and that their proposal is for the extension of the Salisbury Greenway. She provided a map depicting where the proposed sidewalks would be installed. Ms. Gapen requested Council's authorization to proceed with the Fit Community Grant proposal.

Thereupon, Mr. Burgin made a **motion** to authorize the Mayor to sign a grant application with the North Carolina Health and Wellness Trust Fund for the Fit Community Grant for this program. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Klutz voted AYE. (5-0)

## **ENCROACHMENT UNDER PUBLIC SIDEWALK – 120 EAST COUNCIL STREET**

Mr. David Phillips, Development Services Manager, stated that Summit Developers is renovating a building located at 120 East Council Street. He explained that the building sits approximately one (1) foot behind the sidewalk and Summit Developers has submitted a request to the City seeking permission for concrete footing encroachments under the public sidewalk. He pointed out that the request has been presented to the Historic Preservation Commission. Mr. Phillips indicated that the City Code allows approval of such a request provided the following conditions are met:

- Building has to be fifteen (15) years or older and located within a local historic district
- The right-of-way of the streets must have a width of at least forty-five (45) feet
- The encroachment shall be no more than four (4) feet under the sidewalk
- The developer will issue a letter to protect and hold the City harmless against any and all liability, cost, damage or expense suffered or sustained by the City as a result of or growing out of the encroachment upon or under the sidewalk.

Mr. Phillips indicated that the developer's plan meets the criteria of these conditions and that staff recommends approval of the encroachment request from Summit Developers.

Thereupon, Mr. Kennedy made a **motion** to allow an encroachment under the public sidewalk located at 120 East Council Street. Mr. Burgin seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

## **BACKGROUND CHECK POLICY FOR VOLUNTEERS**

Mr. Kenny Roberts, Recreation Program Manager, stated that volunteerism has always been an important component of City services, especially in the Parks and Recreation field. He explained that the City has not had any major issues with volunteers, nor has any particular circumstance prompted the formation of a background check policy, but the City feels that it is appropriate and proactive to adopt such a policy at this time. Mr. Roberts indicated that the policy has been reviewed by the Salisbury Parks and Recreation Advisory Board and the Hall Gymnasium Advisory Board. He reviewed the components of the proposed policy:

- Validation – this policy will help the City determine if individuals offering to volunteer their time and efforts are the appropriate individuals to work with our youth and vulnerable adults
  - “Standard practice” for most municipalities
  - Adheres to our accreditation requirements
  - Strengthens the quality of our services and the volunteers
- Who will be screened
  - Any volunteer eighteen (18) years of age and older
  - Those who will volunteer more than eighty (80) hours of service, or
  - Those who will have direct contact with youth or vulnerable adults, or
  - Those who may volunteer in an un-supervised capacity
- Standards – the following guidelines/standards have been recommended by the National Recreation and Park Association.
- What will be included in the background screening?
  - Social Security verification
  - Address trace
  - State or County Criminal records check
  - National Criminal history data base search
  - Sex offender registry check
- Criteria for Disqualifying a Volunteer – Any potential volunteer shall be disqualified and prohibited from participating as a volunteer in any City funded or City managed activities or programs as a volunteer if the person has been found guilty (guilty is defined as being found guilty following a trial, entering a guilty plea, entering a no contest plea accompanied by a court finding of guilty, regardless of whether there was an adjudication of guilt-conviction- or a withholding of guilt) of any one (1) of the following crimes:

- Sex Offenses – any/all sex offenses, regardless of the amount of time since the offense
- Felonies – any/all felonies involving violence, regardless of the amount of time since the offense
- Felonies – any/all felonies other than those involving sex or violence, within the last ten (10) years
- Misdemeanors – any/all misdemeanors involving violence within the past seven (7) years
- Misdemeanors – any/all misdemeanors involving drugs and alcohol within the past five (5) years or multiple offenses in the past 10 years
- Other misdemeanors within the past five (5) years that would be considered a potential danger to children or other vulnerable citizens or is directly related to the responsibilities of that volunteer position
- Pending Cases – If the potential volunteer has any pending cases in court or has been charged for any of the disqualifying offenses, they will not be allowed to volunteer their services until the case has been resolved and a verdict determined. If the case ends in an acquittal, Nolle Prose, or is dismissed, then the individual may be considered for volunteer service
- Policy Process
  - Volunteer application and consent/release form
  - Application and the consent/release form are forwarded to the Human Resources Department
  - Background screening conducted and results returned to the Human Resources Department
  - Confirmation received that volunteer has passed the screening
  - Volunteer can begin service after notification
  - If volunteer is determined to be un-qualified, notification will be sent directly from the Human Resources Department
  - All records will remain confidential in Human Resources' files

Mayor Pro Tem Woodson inquired about the cost of the background checks. Mr. Roberts responded that the basic background screening cost is between \$8.00 and \$9.00 each. He noted that the Parks & Recreation Department has approximately one hundred (100) volunteers.

Councilman Kennedy stated that the volunteer screening is a good idea. He asked about the possibility of a volunteer violating one of the policy requirements after the initial screening and if there was anything in place to notify the City should this happen. Mr. Roberts stated that he hopes the information would be passed along to the City and he added that background checks will be conducted annually.

Councilman Burgin suggested that a Council committee review the policy because he feels the policy is very important and he would like to have a clear understanding of the criteria of the proposed policy. He questioned if the period of time given in the policy is adequate for the offense. He stated he would like to have more

information about how the links of time were determined and how the circumstances might exist relative to age groups. Mr. Burgin indicated he is unsure how the time frames make sense in the real world and he needs to know how they were determined before he can move forward.

Thereupon, Mr. Lewis made a **motion** to table Item 17 until Council's next meeting to give Mr. Burgin an opportunity to meet with staff and see about his concerns. Mr. Kennedy seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

City Manager David Treme stated that staff will work to make all Council members feel confident with the proposed policy. He pointed out that staff reviewed other successful policies and felt that a policy needs to be initiated in the City,

### **UPDATE ON THE CITY'S RECYCLING PROGRAM**

Ms. Karen Wilkinson, Public Information Manager, Mr. Tony Cinquemani, Public Services Director and Mr. Lynn Hillard, Sanitation Division Manager, updated Council on the City's recycling program:

- Education/Marketing Kick-Off – June 2006
  - Youth Education Program
  - Creation of recycled bird feeders and learned Department of Energy and Natural Resources (DENR) RE3 Initiative (Reduce, Reuse, Recycle)
  - Presentations to City Council
- Recycling Public Awareness
  - Partnered with schools for recycling art contest for kids
  - La Fiesta de Rowan Hispanic Outreach
  - Downtown Salisbury citizen educational and planned media ops
- Recycling Education/Outreach
  - Utilization of complimentary public relations venues
  - Utilization of DENR's complementary materials
  - Distribution of both English/Spanish adult and children's educational booklets
- Accelerated Bin Distribution – July 1, 2006 – December 31, 2007
  - Received DENR grant funding - \$4,522.50
  - Distributed to new annexation areas – 607
  - Placed at new homes – 216
  - Picked up by home owners – 987
  - Total bin distribution – 1,810
- Bin Distribution Sites Added
  - Public Services Department
  - City Hall Administration
  - City Office Building

- Fleet Management
- Solid Waste Division
- Salisbury Recycling Process
  - Citizens recycle
  - Allied Waste picks up
  - Taken to Fairbanks Company Recycling Center
  - Product sold into marketplace
  - Recycled product is reused

Mr. Cinquemani stated that the tons of recycled material rose from one hundred twenty-three (123) tons in July 2006 to one hundred thirty-eight (138) tons in December 2007. He added that during the same time period the participation rate rose from nineteen and sixty-eight hundredths (19.68) percent to thirty-three and forty-four hundredths (33.44) percent. He pointed out that during 2005-2006 the City collected two hundred seventy-four (274) pounds of recycled material from each household compared to two hundred twenty-six (226) statewide.

Mayor Kluttz thanked staff for their informative report.

### **APPOINTMENT TO THE PLANNING BOARD**

This item was postponed.

### **COMMENTS FROM THE CITY MANAGER**

- (a) Request to close the 100 Block of East Liberty Street

City Manager David Treme stated that a request has been received to close the 100 block of East Liberty Street on Saturday, January 26, 2008 from 4:00 p.m. until 11:00 p.m. for the Waterworks Visual Arts Center's Annual Oyster Roast.

Thereupon, Mr. Woodson made a **motion** to approve the street closing for the Oyster Roast. Mr. Lewis seconded the motion. Messrs. Burgin, Kennedy, Lewis, Woodson, and Ms. Kluttz voted AYE. (5-0)

- (b) Receipt of PEG Grant from the e-NC Authority

Mr. John Sofley, Management Services Director, stated that the City received grant approval for \$19,000 from the e-NC Authority which administers the Public, Education, Government (PEG) Access Grant for local public access channels. He explained that the City will match the \$19,000 and the funds will be used to create an Access 16 studio for taping and interviews.

## **PUBLIC COMMENT**

Mayor Kluttz opened the floor to receive public comment.

Mr. William Peoples, 522 North Fulton Street, stated that he has some concerns with the City's Parks & Recreation. He stated that one concern he has is that the City only has one (1) public swimming pool and he asked how Lincoln Park pool got in such bad condition that it could not be fixed. He also expressed concern about the number of people who use the Salisbury Community Park. He indicated that Council promised him that public transportation would be provided to the park and there is still no transportation. He asked how the park can be for all of the community when low-income citizens have no way of getting there and indicated he holds Council accountable for the lack of transportation.

Mr. Peoples also expressed concern regarding the recycling program. He indicated that in his neighborhood he cannot recycle because the truck does not come down his street.

Mr. Peoples also asked why there are no basketball courts at the Salisbury Community Park and stated that he feels this is a large part of recreation. He commented that during the Juneteenth Festival at Kelsey Scott Park they have to run a drop cord across the parking lot to reach a receptacle to accommodate musical events and asked why this is still necessary. He added that this has been a problem for many years.

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

## **MAYOR'S ANNOUNCEMENTS**

### (a) North Carolina Metropolitan Coalition Meeting

Mayor Kluttz announced that she attended the North Carolina Metropolitan Coalition meeting held in Chapel Hill, NC, January 9-10, 2008. She noted that the topics of the meeting were transportation, the environment and gang legislation.

Mayor Kluttz pointed out that at the January 2007 U. S. Conference of Mayors Conference in Washington, DC, reports were presented on what cities can do for the environment. It was decided at the conference that North Carolina cities should take the lead on what can be done statewide for the environment. She indicated that the N.C. Metropolitan Coalition members heard presentations from the University of North Carolina Institute of the Environment, the Sierra Club regarding Cool Cities, and the International Council of Local Environmental Initiatives.

Mayor Kluttz stated that at the Coalition meeting members developed a program to present to the Transportation Committee of the North Carolina General Assembly

regarding the protection of cities as the Committee studies the State's transportation system. She indicated that the Coalition wants to ensure that funds are distributed equally and fairly, that the Department of Transportation does not transfer road maintenance responsibility to the local governments, that there should be separate funding for the maintenance of interstates, and invest in multi-modal solutions such as bus systems, bike, rail, and pedestrian needs.

Mayor Kluttz indicated that the Coalition continues with its commitment in support of gang legislation and its importance to the cities of North Carolina.

(b) Transportation Summit

Mayor Kluttz announced that the Rowan County Board of Commissioners will sponsor a transportation summit Wednesday, January 30, 2008 from 9:30 a.m. until 3:00 p.m. at the Rowan County Cooperative Extension located at 2727 Old Concord Road.

(c) Dr. Martin Luther King, Jr. Celebrations

Mayor Kluttz announced that the W. G. "Bill" Hefner Medical Center will celebrate Dr. Martin Luther King, Jr. day on Friday, January 18, 2008 at 1:30 p.m. in the Social Room of Building Six (6).

Mayor Kluttz announced that the Dr. Martin Luther King, Jr. Humanitarian Awards and birthday celebration will be held Sunday, January 31, 2008 at 3:00 p.m. at Mount Zion Missionary Baptist Church located at 1920 Shirley Avenue.

Mayor Kluttz announced that the 22<sup>nd</sup> annual Dr. Martin Luther King, Jr. Humanitarian Breakfast will be held Monday, January 21, 2008 from 7:30 a.m. to 9:00 a.m. at the Salisbury Civic Center.

(d) 23<sup>rd</sup> Annual Future Directions and Goal Setting Retreat

Mayor Kluttz announced that the 23<sup>rd</sup> Annual Future Directions and Goal Setting Retreat will be held February 14-15, 2008.

**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 6:52 p.m.

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Mayor

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City Clerk