

Salisbury, North Carolina  
September 20, 2011

## **REGULAR MEETING**

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

**ABSENT:** None

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Mayor Pro Tem Blackwell.

## **PLEDGE OF ALLEGIANCE**

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

## **RECOGNITION OF VISITORS**

Mayor Kluttz welcomed all visitors present.

## **ADDITION TO THE AGENDA**

Mayor Kluttz noted the following changes to the Agenda:

Add – Council to go into closed session concerning a personnel matter as allowed by NCGS143-318.11(a)(6).

## PROCLAMATIONS

Mayor Kluttz proclaimed the following observances:

CONSTITUTION WEEK	September 17–23, 2011
BIKER BLUES BBQ RALLY AND BBQ CLASSIC DAYS	September 23-24, 2011
ACTIVE AGING WEEK	September 25–October 1, 2011

## CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of September 6, 2011.

(b) Budget Ordinance Amendment – Sale of Equipment

Adopt a budget Ordinance amendment to the FY2011-2012 budget in the amount of \$42,997 to appropriate proceeds from the sale of equipment.

AN ORDINANCE AMENDING THE 2011-2012 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE PROCEEDS FROM THE SALE OF EQUIPMENT.

(The above Ordinance is recorded in full in Ordinance Book No. 23 at Page No. 67, and is known as Ordinance 2011-33.)

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

## FY2010-2011 CONSOLIDATED ANNUAL PLANNING AND EVALUATION REPORT (CAPER)

(a) Senior Planner Janet Gapen addressed Council regarding the 2010-2011 Consolidated Annual Planning and Evaluation Report (CAPER). Ms. Gapen stated the CAPER is a performance report for Community Development Block Grant (CDBG) and HOME program funds the City receives from the United States Housing and Urban Development (HUD) for housing and neighborhood revitalization. She noted the CAPER report covers the fiscal year beginning July 2010 and ending June 2011. She indicated the City works with the Salisbury Community Development Corporation (CDC) to administer these programs to address housing issues.

Ms. Gapen reviewed the FY2010-2011 Budget:

Community Development Block Grant (CDBG)	\$ 335,518.00
HOME Program	113,895.00
Program Income	<u>70,000.00</u>
<b>TOTAL</b>	<b>\$ 519,413.00</b>

Ms. Gapen noted the budget includes funds carried over from previous years, and she added any residual funds from this year will also be carried over to the next fiscal year. She indicated for several years the City has focused its neighborhood revitalization efforts into four neighborhoods: West End, Jersey City, East End, and Park Avenue, which have a concentration of low to moderate income. She indicated this year the City's efforts were focused in the West End and Jersey City communities though some projects were completed City-wide. She reviewed housing and neighborhood improvements in these areas:

West End Neighborhood

- Acquisition and Rehabilitation for Resale (two homes)
- Down Payment Assistance (one family)
- Emergency Rehabilitation (one home)
- Hall Gym Parking Improvements

Jersey City Neighborhood

- Owner-Occupied Rehabilitation (one home)
- Emergency Rehabilitation (one home)
- New Construction (one home)
- Down Payment Assistance (one family)
- Park Play structure Replacement

Other Sites in Salisbury

- Acquisition, Rehabilitation and Resale (two homes)
- Owner-Occupied Rehabilitation (one home)
- Emergency Rehabilitation (two homes)
- Westridge Village Phase II (New multi-family housing)

Ms. Gapen explained Westridge Village consists of 48 multi-family rental housing units designed for renters whose income is less than 60% of the median income. She stated HOME dollars were extended in a 20-year loan totaling \$150,000. She noted the total project cost is \$7,000,000.

Ms. Gapen reviewed the public service activities funded with CDBG funds and the number of citizens who benefited from the funding:

<u>Agency</u>	<u>Total Number Benefiting from Activity</u>
Rowan Helping Ministries	384
Family Crisis Council	157
Community Care Clinic	712
Youth Employment Program	5
West End Garden	<u>23</u>
<b>TOTAL</b>	1,281

Ms. Gapen reviewed the CDC's Homebuyer Education Program:

- Total participants 25
- Residents of public housing 5
- Topics:
  - Choosing a Realtor and Purchasing a Home
  - How to Obtain a Mortgage
  - Closing Documents
  - Home Maintenance
  - Automobile Ownership

Ms. Gapen noted the CDC has an extensive foreclosure prevention program that has been in operation since 2003. She stated there are two housing counselors who work with residents facing potential foreclosure. She noted the CDC has been able to work with the North Carolina Housing Finance Agency, the North Carolina Commission of Banks and locally the Rowan County United Way to obtain funds to assist residents.

Ms Gapen reviewed the source of leveraged funds:

<u>Source</u>	<u>Description</u>	<u>Total</u>
North Carolina Housing Finance	Foreclosure Prevention	\$18,528.00
North Carolina Housing Finance	Foreclosure Prevention	55,000.00
North Carolina Housing Finance	Foreclosure Prevention	21,688.00
North Carolina Community of Banks	Foreclosure Prevention	26,074.00
Rowan County United Way	Direct Mortgage Assistance for Homeowners Laid Off	10,000.00
Guest Speakers (Homeownership Program)	(in kind)	1,000.00
KKA Architecture	House Plans pro bono	<u>1,000.00</u>
	<b>TOTAL</b>	\$133,290.00

Councilman Kennedy asked if the homes in Westridge Village were restricted to senior citizens, or if the homes are available to anyone of low or moderate income. Ms. Gapen explained anyone meeting the income requirements can live in Westridge Village apartments.

(b) Mayor Kluttz convened a public hearing, after due notice thereof, to receive comments regarding the FY2010 Consolidated Annual Planning and Evaluation Report (CAPER) for Community Development Block Grant (CDBG) and HOME programs.

There being no one present to address Council, Mayor Kluttz closed the public hearing. She thanked and commended Ms. Gapen for the CAPER report.

### **NAMING FLAG CONCOURSE IN CITY PARK**

Parks and Recreation Director Gail Elder White addressed Council regarding the naming of the Flag Concourse in City Park. She stated the City received a petition from the Salisbury Rotary Club to name the City Park flag concourse "Patriots Flag Concourse and Memorial." She noted the Parks and Recreation Advisory Board approved the naming request at its July 2011 meeting. She indicated Council received a request to set a 30 day public comment period at its August 16, 2011 meeting, and the comment period is now closed. She noted the City received only one comment indicating the proposed name was too long and complicated. She stated the citizen recommended "Veteran Memorial" or "Veteran Flag Memorial."

Councilman Miller asked which name the Parks and Recreation Advisory Board recommended. Ms. Elder White stated the Parks and Recreation Advisory Board recommends naming the Flag Concourse "Patriots Flag Concourse and Memorial."

Thereupon, Mr. Woodson made a **motion** to name the Flag Concourse in City Park the "Patriots Flag Concourse and Memorial." Mr. Miller seconded the motion. Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

Mayor Kluttz thanked the Parks and Recreation Advisory Board, the Salisbury Rotary Club and all who participated in the naming process.

### **WEST END NEIGHBORHOOD TRANSFORMATION PLAN**

Community Planning Services Director Joe Morris addressed Council regarding the updated activities of the West End Neighborhood Transformation Plan. He presented an overview of the Choice Neighborhoods Planning Grant to Council:

- Builds on the HOPE VI Grant Program
- More comprehensive
- Transform public housing sites and entire neighborhood
- Cooperation and collaboration between housing agencies, service providers, schools, local governments and area residents
- \$170,000 Planning Grant
- 24 month planning timeline
- Apply for Implementation grant
- Potential for up to \$ 30,000,000

Mr. Morris displayed a list of all of the communities awarded Choice Neighborhood Planning Grants from Housing and Urban Development (HUD). He noted Salisbury is the smallest community of the 17 communities awarded the FY2010 Planning Grants.

Mr. Morris explained the Choice Neighborhood Planning Grant is in conjunction with the White House Neighborhood Revitalization Initiative that includes:

- Centerpiece Programs
  - Choice Neighborhoods
  - Promise Neighborhoods
  - Byrne Criminal Justice Innovation
  - Community Health Centers
  - Behavioral Health Service

Mr. Morris stated the Westend neighborhood qualified for the grant based on a number of criteria including a competitive application process, and essential components:

- Designated Revitalization Area (CDBG)
- Distressed Public Housing

Mr. Morris displayed a map of the Westend neighborhood noting the location of the Civic Park Apartments, which are public housing units built in 1953. He explained the Civic Park Apartments are functionally obsolete although they have been well maintained. He noted they no longer provide the quality housing expected by community residents.

Mr. Morris explained the Choice Neighborhood Planning Grant is based on three areas of emphasis: housing, people and neighborhood. He listed the choice goals for each area of emphasis:

- Housing
  - Mixed Income
  - Sustainable
  - Energy Efficient
  - Physically and Financially Viable over the long term
- People – Supports Positive Outcomes for Families
  - Health and Safety
  - Employment
  - Mobility
  - Education
- Neighborhood
  - High Quality Schools and Education Programs
  - High Quality Early Learning Programs
  - Improved Access to Jobs
  - Public Assets
  - Public Transportation

Mr. Morris noted key dates in the Planning process:

- Resolution of Intent (ROI) adopted on July 2, 2011
- Steering Committee appointed August 2011
- Inaugural meeting on September 1, 2011
- Initial meeting of People, Housing and Neighborhoods Working Groups on September 15, 2011

Mr. Morris indicated the Steering Committee and the Component Planning Groups identified resources available to the West End neighborhood:

- Salisbury Community Development Corporation (CDC)
  - Housing Rehabilitation and New Construction
  - Classes for First-Time Homebuyers
  - Housing Counseling
  - Foreclosure Prevention Program
- Livingstone College
- Miller Recreation Center and Hall Gym
- Brenner Avenue Greenway
- Salisbury Transit
- Kelsey Scott Park
- Head Start/Salisbury-Rowan Community Action Agency
- Veterans Administration Hospital
- Historic Resources and Built Environment
- Heritage of Institutional and Neighborhood Leadership
- West End Community Organization (WECO)
- Residents of Civic Park and the West End Neighborhood

Mr. Morris explained the West End Transformation Plan will be built upon neighborhood advantages, opportunities and assets, along with family and community resources.

Mr. Morris reviewed the Transformation Plan Schedule:

- Key Dates
  - June 29, 2011 Grant Agreement
  - September 1, 2011 Initial Steering Committee Meeting
  - September 15, 2011 Stakeholders Meeting
  - September 26, 2011 7:00 p.m. Public Forum – City Hall
  - October 19-20, - 2011 Design Charrette- West End Business and Community Center
  - October 2012 Implementation Grant Notice of Funding Availability (NOFA)
  - June 29, 2013 Plan Deadline

Councilman Miller noted the three elements of the West End Transformation Plan, and stated the ultimate goal is to prepare the City to receive the implementation grant available in the near future. He commented not all of the 17 communities awarded the planning grant will receive the implementation grant.

Mr. Miller asked if the West End Transformation Plan will be similar to the Vision 2020 Plan. Mr. Morris replied a more comparable plan would be the Downtown Master Plan because the City will have a physical plan that shows the desired look of the neighborhood. He indicated a number of policies, recommendations, actions and strategies will be tied to the plan so it can be implemented over a period of time.

Mr. Morris stated HUD recognizes it is not enough to address public housing or the schools, but everything must be addressed in order for a neighborhood to be successful. He stated staff needs to be thorough in the analysis and strategic implementation of the components of the plan because HUD requirements must be met. He stated a strategy is needed to address ways the community can assist with the West End Transformation Plan in the absence of a federal grant.

Mr. Miller stated the first step is developing a master plan, and the second step is finding a funding stream to implement the vision. Mr. Morris stated the idea is to have the design charette and public forum to create the vision and then back-fill with strategies. He stated a goal of the Steering Committee is to identify items that can be done now at minimal cost.

Mayor Kluttz stated the public forum is open to anyone in Salisbury. Mr. Morris indicated two notices have been placed in the Salisbury Post, and the City is doing a direct mailing to all West End Neighborhood and Civic Park Apartment residents. He noted the results of the public forum will be provided to the Neighborhood Leaders Alliance and other neighborhood organizations throughout the City.

Mayor Kluttz stated she is very excited about the potential of this plan, and bringing the partners together to talk about the needs is a benefit to the neighborhood and the City. She invited the public to participate.

### **TREE INVENTORY FOR PLANNING DISTRICT 3**

GIS Coordinator Kathryn Clifton addressed Council regarding a Tree Inventory for Planning District 3. She stated the City of Salisbury is a 26-year member of the Tree City USA community. She stated the City received a North Carolina Urban and Community Forestry Grant to perform a comprehensive GIS-based tree inventory. She stated the tree inventory is a cooperative effort and is filled with useful information for staff and residents. She noted the Tree Inventory also provides educational opportunities for other municipalities to learn from Salisbury.

Ms. Clifton explained the study area, Planning District 3 includes:

- Downtown
- Local Historic Districts
- National Historic Districts

Ms. Clifton stated the Tree Inventory for Planning District 3 was a cooperative effort between:

- GIS Division
- Landscaper Operations
- Community Planning Services
- Tree Board

Ms. Clifton stated the groups met and established criteria for the Tree Inventory, and she shared the results with Council.

- If a tree is in the right-of-way
- The number of trunks
- Type of growth space
- Diameter at breast height
- Overall height of the tree
- Current condition of the tree
- Genus or species
- If the tree is causing hardscape damage to infrastructure maintained by the City
- Overhead utilities that will be affected when the tree is maintained

She noted there is a picture of every tree inventoried tied to the tree's location on the map, and she reviewed the results:

- Tree Count: 2,759
  - Evergreens: 533
  - Deciduous: 2,226
- Tree Health
  - 98% in good health
- Tree Diversity
  - Ten genus/species account for 70% of trees inventoried
  - Consider more native species

Ms. Clifton indicated the grant also provided the City with educational and financial opportunities:

- Educational, How-To Document Prepared by GIS Division Staff
- Includes Videos for Technical Hands-On Aspects
- Anticipate Conducting Workshops

Councilman Woodson stated he was pleasantly surprised that 98% of the trees in Planning District 3 are healthy. Mayor Kluttz stated the report was very interesting and thanked Ms. Clifton for her hard work.

Councilman Kennedy commended Ms. Clifton for the tree surveys. He thanked Chairman of the Tree Board Rodney Queen and former Chairman Jack Burke for their hard work. He noted the importance of trees to the City.

### **SIDEWALKS IN OLDE SALISBURY**

Engineer Patrick Ritchie addressed Council regarding new sidewalks in the Olde Salisbury subdivision located off of Old Concord Road. He noted the subdivision was constructed in three phases, and in each phase sidewalks were installed as the individual houses were built. He noted construction of the sidewalks for each phase was guaranteed by the developer by posting a two-year bond.

Mr. Ritchie indicated phases one and two developed as planned, and sidewalks were installed as homes were built. He noted during phase three, development slowed and many lots remained vacant. He explained the vacant lots do not have sidewalks resulting in gaps in the sidewalk system.

Mr. Ritchie stated when the sidewalks were still incomplete at the end of the two-year Bond period, the developer was contacted, and chose to allow the City to cash in the bond rather than complete the sidewalks.

Mr. Ritchie indicated in 2010 staff informed Council the value of the bond was not sufficient to install the remaining sidewalks for phase three of Olde Salisbury. He noted bids were received for the project, and negotiations with the lowest bidder resulted in a plan to omit a portion of the sidewalk on one side of the street to stay within budget. He noted a contract was awarded, and the work has been completed. He displayed photos of the completed sidewalks and pointed out the street lighting is in place, but some of the lights are not yet energized.

Mayor Kluttz thanked Mr. Ritchie for the update.

## **PUBLIC COMMENTS**

Mayor Kluttz opened the floor to receive public comment.

Mr. Rodney Queen, 2559 7<sup>th</sup> Street, addressed Council regarding sidewalks in Olde Salisbury. He noted he was one of the original developers of Olde Salisbury but later sold the three phases. He stated he would like to make a recommendation to the Planning Board to eliminate bonds in place of constructing sidewalks. He indicated when a developer constructs a phase of development, the sidewalks should be constructed and the street trees planted. He explained houses in developments with gaps in the sidewalk systems are harder to sell. He stated bonds are not a good policy for the City.

Ms. Darlene Blount, 212 Ferncliffe Drive, noted earlier Council approved a Proclamation for Constitution Week. She indicated she thought this was wonderful, and with Council's permission she distributed booklets regarding the Constitution of the United States and the Declaration of Independence.

Mr. Clyde Overcash, Bank Street, stated he would like help with his water bill. He explained he owns a vacant house, and the usage on the water meter was the same for the entire month. He stated the month before his bill was \$11.00, and the new bill for minimum usage has almost doubled to \$17.42, which equals approximately \$200 a year. He explained he is not happy with the new minimum usage, and he preferred the postcard bill to the new four page paper bill.

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

## **INTERIM CITY MANAGER'S COMMENTS**

### (a) Water Supply Update

Interim City Manager Doug Paris asked Salisbury-Rowan Utilities Engineer Jeff Jones to update Council on the City's Water Supply. Mr. Jones stated the Engineering department has been closely monitoring the City's water supply and the water flow on the Yadkin River. He reviewed charts of the weekly water flow compared to the historical weekly water flow and the thresholds for alerts and voluntary water restrictions. He explained the actual water flow is less than our historical weekly water flow but has not reached voluntary water restrictions levels in the last 12 weeks.

Mayor Pro Tem Blackwell thanked Mr. Jones for making Council aware of the City's water supply. She asked which counties and cities affected Salisbury's water supply so she could monitor the area weather report more closely. Mr. Jones noted Winston-Salem and Wilkesboro were the locations to monitor.

(b) Centralina Council of Governments

Interim City Manager Doug Paris indicated Rowan County recently discontinued its membership in the Centralina Council of Governments (COG). He asked Community Planning Services Director Joe Morris to discuss a request from COG to use the City of Salisbury's membership hours for a Rowan County United Way Needs Assessment.

Mr. Morris stated the City received a request from COG Planning Director Bill Dutson for an allotment of 30 membership hours to offset the cost for the production of a Needs Assessment for the Rowan County United Way. He explained the City's financial participation in COG entitles the community to 60 membership service hours annually. He noted in the past Rowan County allotted 30 of its membership hours for the Needs Assessment. He pointed out since Rowan County is no longer a member of COG, Mr. Duston has inquired if the City of Salisbury membership hours may be used.

Mr. Morris explained the City of Salisbury has not used any membership service hours during the current fiscal year. He noted he knows of no pending projects or programs requiring use of the City's membership service hours. He stated staff recommends allotting 30 membership service hours for the Needs Assessment for Rowan County United Way.

Councilman Woodson asked how many membership service hours the City used last year. Mr. Morris stated he is unsure of the number used, but the hours are typically used for planning processes, and the hours are not transferrable. He added he will research the number of hours used last year and bring that information back to Council.

Councilman Miller explained during the Better Housing Committee meetings the use of the membership service hours for training opportunities was discussed. Mr. Morris stated the City will have adequate membership service hours for the Needs Assessment and training for the Better Housing Committee.

Councilman Miller stated he supports the United Way and is in favor of using these hours for the Needs Assessment. He explained every three to five years the United Way surveys the community to find out what issues need to be addressed. He noted the needs assessment helps the United Way set direction on funding for individual agencies.

Thereupon, Mr. Miller made a **motion** to allot 30 membership service hours for the Needs Assessment for the Rowan County United Way. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, Woodson, and Ms. Blackwell and Kluttz voted AYE. (5-0)

(c) Minimum Usage Billing

Interim City Manager Doug Paris asked Utilities Director Jim Behmer to explain the minimum water usage billings in response to Mr. Overcash's earlier comments. Mr. Behmer stated the minimum bill does not include a usage charge and has been part of the City billing process for at least ten years. He explained the minimum usage charge is for administrative cost, monthly meter reading, and debt service. He added the minimum usage charge is based on the

number of accounts, and the current minimum usage charge is \$8.30 per month. Mayor Kluttz indicated this charge is for the ability to turn on the water when it is requested. Mr. Behmer stated that was correct.

Mr. Kennedy explained the recycling fee was increased because the City's carrier had a fee increase. Mr. Woodson asked for the total minimum fees for all the City's services. Mr. Behmer stated the minimum fee is \$8.30 for water and sewer plus additional fees for recycling.

Mr. Paris stated he will review Mr. Overcash's bill.

### **MAYOR'S ANNOUNCEMENTS**

(a) **Boys Jr. Bobcat Basketball program**

Mayor Kluttz announced registration is now open for the Boys Jr. Bobcat Basketball program. Please call Hall Gym at (704) 638-5289 for more information.

(b) **Old Wilkesboro Road Sidewalk Project Community Workshop**

Mayor Kluttz announced a community workshop regarding the Old Wilkesboro Road Sidewalk Project will be held Thursday, September 22, 2011 at 7:00 p.m. at Moore's Chapel AME Zion Church, 500 Partee Street. The public is invited to attend

### **CLOSED SESSION**

Mayor Kluttz requested a motion to go into closed session concerning a personnel matter as allowed by NCGS 143-318.11(a)(6).

Thereupon, Ms. Blackwell made a **motion** to go into closed session concerning a personnel matter as allowed by NCGS 143-318.11(a)(6). Mr. Miller seconded the motion. Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

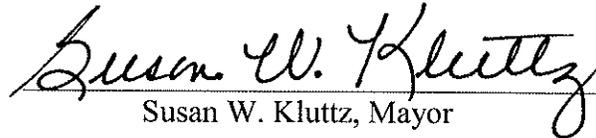
### **RETURN TO OPEN SESSION**

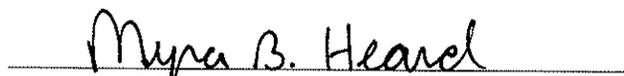
Thereupon, Mr. Woodson made a **motion** to return to open session. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, Woodson, and Meses. Blackwell and Kluttz voted AYE. (5-0)

Mayor Kluttz announced no action was taken in Closed Session.

**ADJOURNMENT**

Motion to adjourn the meeting was made by Mr. Woodson, seconded by Mr. Kennedy. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 5:38 p.m.

  
Susan W. Kluttz, Mayor

  
Myra B. Heard, City Clerk