

Salisbury, North Carolina
February 5, 2013

REGULAR MEETING

PRESENT: Mayor Paul B. Woodson Jr., Presiding; Council Members Mayor Pro Tem Maggie A. Blackwell, Karen Kirks Alexander, William (Pete) Kennedy, and, William Brian Miller; 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 Woodson at 4:00 p.m. The invocation was given by Councilmember Alexander.

PLEDGE OF ALLEGIANCE

Salisbury Youth Council members Mr. Tarik Woods and Mr. Quson Brown led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Woodson welcomed all visitors present. He recognized Rowan-Salisbury School Board Chair Dr. Richard Miller and Assistant Superintendent for Operations Mr. Gene Miller who were in the audience.

Mayor Woodson acknowledged Councilmember Pete Kennedy who was featured in the Salisbury Post Monday, February 4, 2013. He thanked Mr. Kennedy for all he does for the City.

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of January 15, 2013 and the Special Meeting of January 22, 2013.

(b) Temporary Street Closure – 100 Block East Liberty Street

Close the 100 block of East Liberty Street Saturday, January 26, 2013 from 3:00 p.m. until midnight to accommodate the 8th Annual Waterworks Visual Arts Center Oyster Roast.

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

HIGHLIGHTS AND GOALS – HOUSING ADVOCACY COMMISSION

Housing Advocacy Commission Chair Barbara Perry, Vice-Chair Rodney Queen, and Mr. Chris Branham, staff liaison, presented highlights and goals for the Housing Advocacy Commission (HAC).

Ms. Perry thanked Council for its vision regarding the HAC, and explained the HAC consists of two standing committees that:

- Meet monthly with staff to develop programs and receive reports regarding activities related to housing and neighborhood conditions
- Distribute educational materials to community residents summarizing the Tenant and Landlord Handbook – which clearly addresses tenant rights, and tenant/landlord responsibilities
- Provide a forum for issues related to fair housing and tenant/landlord responsibilities
- Partner with neighborhood groups to improve community conditions
- Promote efforts to improve the eviction process by amending local Ordinances to be consistent with State legislation
- Review and recommend changes to City Ordinances to create strengthened, common-sense, minimum housing standards
- Formulate and recommend to Council the adoption or amendment of Ordinances that will, in the opinion of the commission, serve to improve the condition of housing and neighborhoods within the City and its surrounding areas
- Direct the attention of City officials to needed enforcement of any Ordinance that may in any way affect the quality of housing and neighborhood conditions within the City
- Promote public interest and understanding of its recommendations, studies and plans, and, to prepare, publish and distribute to the public studies and reports to advance the cause of improved housing and neighborhoods

- Conduct public meetings, hearings, community forums and informational workshops while giving reasonable notice to the public thereof

Ms. Perry reviewed the Level I Goals:

- Continue to work with the Human Relations Council by hosting a bi-annual Fair Housing Workshop for the community
- Create and distribute materials to citizens regarding updated housing codes and tenant/landlord guidelines
- Receive input from citizens regarding the housing needs within the City and create a plan to address the concerns

Ms. Perry explained the requested funding:

Goals requiring funding:

Bi-annual Fair Housing Workshops	\$1,000
Meeting cost for the year	\$1,200
Printing Tenant/Landlord Handbooks and supporting material	<u>\$500</u>
Total Requested Amount	\$2,700

Ms. Perry reviewed the internal goals of the Community Involvement and Education Committee:

- Create a final draft of the Tenant/Landlord Handbook for Council's consideration
 - A rough draft is being generated
- Create and provide pamphlets for neighborhood groups and organizations to distribute
- Reach out to community groups that deal with housing for citizens and educate them regarding Ordinances and guidelines that are in place for tenant and landlords
- Post information on the website

Mr. Branham reviewed the internal goals for the Code Enforcement Committee:

- Update Chapter 10 of the City Code of Ordinances pertaining to minimum housing
- Specifically focus on:
 - Boarded up structures
 - Abandoned and vacant structures
 - Unsafe conditions
 - Minimum standards

Mr. Branham noted a draft of an Ordinance regarding boarded up structures has been created and will be brought before Council in March.

Vice-Chair Rodney Queen stated Code Enforcement must have the community's support to make neighborhoods safe for everyone.

Mayor Woodson thanked Ms. Perry, Mr. Queen, and Mr. Branham for their service to the City. Mayor Pro Tem Blackwell asked members of the HAC in the audience to stand and be recognized

HIGHLIGHTS AND GOALS – HUMAN RELATIONS COUNCIL

Dr. Mary Frances Edens, Human Relations Council (HRC) Chair, and Ms. Ruth Kennerly, staff liaison, presented highlights and goals for the HRC.

Dr. Edens presented the 2012-2013 Highlights:

- New Partnerships – Chick-Fil-A, Ellis Park, Miller Center Step Team, Housing Advocacy Commission (HAC), City Schools, Youth Services Bureau, Livingstone Theatre Department
- Expanded presence in community – YMCA, Ellis Park
- High School Latino Scholarship – Awarded scholarships to five Salisbury High School students
- New HRC Member Orientation
- Support to the Salisbury Youth Council
- Fair Housing Workshop
- Mayor’s Spirit Luncheon
- Let’s Get Connected Day
 - 7th Peace pole
- Meet Your Neighbor Public Forums – Communities at Risk
- Dr. Martin Luther King Jr. celebration
- La Fiesta de Rowan
- Elizabeth Duncan Koontz 2012 honorees:
 - Mrs. Jean Boyd Kennedy
 - Piedmont Players Theatre
 - Mr. David W. Treme
- Annual retreat November 2012 for HRC members

Dr. Edens presented the FY2012-2013 Goals:

- Finalize By-laws and Ordinances
- Evaluate events
- Continue to work on professional resource directory
- Revamp Elizabeth Duncan Koontz event
- Continue to support the Salisbury Youth Council
- Facilitate a Communities at Risk round table with agencies in the community
- Partner with the HAC for the Fair Housing Workshop

Ms. Kennerly presented a proposed 2012-2013 Budget, with comparison budgets from previous years.

	2010-2011 <u>Actual</u>	2011-2012 <u>Budget</u>	2012-2013 <u>Budget</u>	2012-2013 <u>Actual</u>
Total Program Income	\$6,9117.72	\$6,000.00	\$6,000.00	\$19,542.00
Total Sponsorships	\$14,400.00	\$11,000.00	\$14,000.00	\$9,670.00
Salisbury City Support	\$3,500.00	\$3,150.00	\$3,150.00	\$3,150.00
Rowan County Support	<u>\$3,500.00</u>	<u>\$3,150.00</u>	<u>\$3,150.00</u>	<u>\$3,150.00</u>
Total Income	\$28,311.72	\$23,300.00	\$26,300.00	\$35,512.00
Total Miscellaneous Expenses				\$2,234.50
Total Program Expenses	\$22,549.38	\$22,500.00	\$25,000.00	\$14,968.35
Total Administrative Exp	<u>1,358.73</u>	<u>\$1,500.00</u>	<u>\$1,500.00</u>	<u>\$813.70</u>
Total Expenses	\$23,908.11	\$24,000.00	\$26,500.00	\$18,016.55
Net Proceeds	\$4,403.61	(\$700.00)	(\$200.00)	\$17,495.45

Mayor Woodson thanked Dr. Edens, Ms. Kennerly, and the HRC for its service to the community.

Mayor Pro Tem Blackwell recognized HRC member Betty Jo Hardy, who was in the audience.

HIGHLIGHTS AND GOALS – PLANNING BOARD

Mr. Carl Repsher, Chair of the Planning Board, and Mr. Preston Mitchell, staff liaison, presented the Highlights and Goals for the Planning Board.

Mr. Repsher reviewed the 2012-2013 Goals:

- Expand on Goal 1 of the FY2011-2012 - Investigate development of a Southern I-85 Corridor Area Plan where-by the end of the goal year the:
 - Budget
 - Geographical parameters, and
 - Partner would be determined for possible execution in 2012-2013
- Initiate the development of a Southern I-85 Corridor Area Plan where-by the end of the goal year:
 - Financing/funding opportunities have been determined and initially sought
 - Partnerships have been negotiated and furthered depending on the geographical parameters
 - Preliminary Visioning Sessions will have been conducted by the yet to be established Steering Committee

- Finalize the Open Space Study
- Finalize the Use Matrix Study
- Conduct a split-zoning study by Planning District

Mr. Repsher reviewed the 2013-2014 Goals:

- Facilitate and grow a multi-jurisdictional I-85 community initiative by assisting and encouraging the exploration of vital Rowan County assets to help develop and recognize this area as a major player in the Piedmont Crescent I-85 corridor
- Facilitate development of a Small-Area/Neighborhood Plan for the Brooklyn-South Square Local Historic Neighborhood
- Investigate a zoning strategy and possible development of a corridor overlay for the South Main Street corridor from Monroe Street to Five Points to encourage new infill and redevelopment while furthering the goals and objectives of the 2010 Downtown Master Plan
- Investigate and recommend zoning corrections for split-zoned properties by Planning District

Mayor Woodson stated serving on the Planning Board takes a great deal of time. He thanked members of the Planning Board for all they do for the City, and he thanked Mr. Repsher for serving as Chair.

Councilmember Alexander stated she is pleased with the progress made by the Planning Board.

Councilmember Kennedy asked members of the Planning Board in the audience to stand and be recognized.

HIGHLIGHTS AND GOALS – ZONING BOARD OF ADJUSTMENT

Mr. Reid Acree, Zoning Board of Adjustment (ZBA) Chair, and Mr. David Phillips, staff liaison, presented the Highlights and Goals for the ZBA.

Mr. Acree reviewed the responsibilities of the ZBA:

- To hear and decide appeals from any order, decision, determination, or interpretation made by the Administrator pursuant to or regarding these regulations
- To hear and decide appeals from any order, decision, determination, or interpretation made by the Technical Review Committee (TRC) or the Historic Preservation Commission (HPC) pursuant to or regarding these regulations
- To hear and decide petitions for variances from the requirements of these regulations
- To change the use of or expand certain nonconformities

Mr. Acree reviewed the 2012 Highlights:

- Meetings held – 1

Mr. Acree reviewed the 2013 Goals:

- Continue training of members as workshops are available
- Schedule training seminar for Boards and Council regarding quasi-judicial proceedings and legislative proceedings

Mayor Woodson thanked Mr. Acree and members of the ZBA for the important service they provide to the community.

LAND DEVELOPMENT DISTRICT MAP AMENDMENT LDOZ-09-2012 – DEAN FORTSON AND THE CITY OF SALISBURY

Mr. Steve Gray, 310 North Main Street, and Mr. Dean Fortson 5035 Stokes Ferry Road, addressed Council regarding Land Development District Map Amendment LDOZ-09-2012. Mr. Gray stated the site was originally used by Roadway Trucking as a loading dock. He indicated it is the best use of the property, and a tenant is waiting for Council's decision. He explained staff presented an in-depth report to the Planning Board, and the current leaseholder is asking Council to approve the Planning Board's decision

Planning and Development Services Manager Preston Mitchell noted the parcels included in this request are located at 4120 and 4160 South Main Street. He displayed photographs of the property and pointed out 4160 South Main Street was originally developed as a trucking facility. He indicated the petitioner would like to reuse the facility as its originally developed use.

Mr. Mitchell stated the petition began as a single parcel rezoning, and he reviewed the area zoning indicating the site is currently zoned Corridor Mixed-Use (CMX).

Mr. Mitchell indicated 4120 South Main Street, owned by Widenhouse Service, Inc. was added to the petition after the January 8, 2013 Planning Board meeting. He indicated the Planning Board noted if the Fortson property was rezoned to Highway Business (HB) it would almost surround the Widenhouse property, and to maintain consistency the Planning Board voted to add the additional parcel to the petition. He stated the Planning Board unanimously recommended approval.

Mr. Mitchell reviewed the Land Development Ordinance (LDO) provisions:

- Permitted Uses
- Specific District Provisions
- Building Types
- Recreational Open Space
- Landscaping
- Signage

Mr. Mitchell noted the LDO provision differences between CMX and HB districts and pointed out the CMX district has a maximum setback of 75 feet while the HB district does not have a maximum setback. He noted the CMX district allows for two rows of front parking while the HB district is unrestricted. Mr. Mitchell pointed out the HB district is appropriate for this location of South Main Street since it is not pedestrian oriented. He also noted the allowance for signage is larger in the HB district.

Mr. Mitchell indicated the Planning Board unanimously recommended approval of the petition.

(b) Mayor Woodson convened a public hearing, after due notice thereof, to receive comments regarding Land Development District Map Amendment LDOZ-09-2012.

There being no one to address Council, Mayor Woodson closed the public hearing.

Councilmember Miller stated it appears to be an appropriate use of an existing structure.

Councilmember Miller stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property as described herein is not inconsistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan and that adoption of the Ordinance is reasonable and in the public interest. Thereupon, Mr. Miller made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina, by rezoning two parcels, 4120 and 4160 South Main Street, from Corridor Mixed-Use (CMX) District to Highway Business (HB) District. Ms. Alexander seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Mses. Alexander and Blackwell voted AYE. (5-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING TWO PARCELS, 4120 and 4160 SOUTH MAIN STREET, FROM CORRIDOR MIXED-USE (CMX) DISTRICT TO HIGHWAY BUSINESS (HB) DISTRICT.

(The above Ordinance is recorded in full in Ordinance Book No. 24 at Page No. 2, and is known as Ordinance 2013-02)

LAND DEVELOPMENT DISTRICT MAP AMENDMENT LDOZ-01-2013 – CITY OF SALISBURY

Councilmember Miller asked to be recused from voting on this item due to a possible conflict of interest.

Thereupon, Mr. Kennedy made a **motion** to recuse Councilmember Miller from participating in this vote. Ms. Blackwell seconded the motion. Messrs. Kennedy and Woodson, and Mses. Alexander and Blackwell voted AYE. (4-0)

Planning and Development Services Manager Preston Mitchell stated the requested rezoning is for property located in the 500 block of South Main Street. He displayed photographs of the property and noted it is the former Lyerly Funeral Home site.

Mr. Mitchell explained the petition area consists of five parcels owned by Lyerly Funeral Home. He noted the City is initiating the rezoning request, and reviewed the zoning in the area and the Land Development Ordinance (LDO) provisions:

- Permitted Uses
- Specific District Provisions
- Building Types
- Recreational Open Space
- Landscaping
- Signage

Mr. Mitchell reviewed the differences in the LDO Provision and pointed out the Corridor Mixed-Use (CMX) district will allow for town homes. He indicated the CMX district setback is typically 75 feet maximum and the Downtown Mixed-Use (DMX) is 10 feet maximum. He pointed out DMX encourages buildings to be built closer to the street. He noted CMX district allows for two rows of front parking, while the DMX district allows for side and rear parking.

Mr. Mitchell stated one of the Planning Board goals for 2013-2014 is to examine the entire South Main corridor from Monroe Street to Five Points (Klumac Road, Fulton, South Main and Heilig Streets) due to the multiple zoning districts. He reviewed the South Main Corridor zoning study:

- Must be consistent with 2010 Downtown Master Plan
- Need to encourage/facilitate new infill and redevelopment
- Should compliment/expand character/patterns of downtown fabric while remaining flexible through design
- Must recognize changes/differences in streetscape, blocks, posted speeds, etc.

Mr. Mitchell stated staff recommends the City act as the applicant for this rezoning to enable the Lyerly family to rebuild their facility. He reviewed the Vision 2020 Plan:

- Policy C-2:
 - The City shall encourage a flexible, yet compatible development environment that supports new business formation and growth in the city's older commercial areas
- Policy C-3:
 - New development in or adjoining an older commercial area should be compatible with existing desirable development within its vicinity. Compatibility criteria shall include size, scale, massing, fenestration, rhythm, setback, materials, context, and landscaping
- Policy C-4:
 - The pedestrian-oriented character of older commercial areas shall be preserved and strengthened

Mr. Mitchell noted the Planning Board found the request was both consistent and inconsistent and unanimously recommended approval of the petition.

Mr. Mitchell pointed out an item can be found inconsistent and still be approved.

(b) Mayor Woodson convened a public hearing, after due notice thereof, to receive comments regarding Land Development District Map Amendment LDOZ-01-2013.

Mr. Brent Lyerly, 515 South Main Street, owner of Lyerly's Funeral Home, thanked staff for its work after the business was destroyed by fire. He stated the rezoning will make it easier to rebuild the funeral home. He asked Council to consider approving the petition so the rebuild can move forward.

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

Councilmember Alexander stated she believes this is an appropriate rezoning. She noted it closely matches what is in place now and what will take place in the future. She indicated she supports the Planning Board continuing with a study that addresses the zoning from Monroe Street to Five Points.

Councilmember Kennedy indicated the Planning Board did a thorough job, and he supports the rezoning.

Councilmember Kennedy stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property as described herein is consistent with the goals, objectives, and policies of the Vision 2020 Comprehensive Plan and finds it consistent and inconsistent with the 2010 Downtown Master Plan, and that adoption of the Ordinance is reasonable and in the public interest. Thereupon, Mr. Kennedy made a **motion** to adopt an Ordinance amending the Land Development District Map of the City of Salisbury, North Carolina, by rezoning five parcels, 515 South Main Street, from Downtown Mixed-Use (DMX) District to Corridor Mixed-Use (CMX) District. Ms. Blackwell seconded the motion. Messrs. Kennedy, and Woodson, and Meses. Alexander and Blackwell voted AYE. (4-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING FIVE PARCELS, 515 SOUTH MAIN STREET, FROM DOWNTOWN MIXED-USE (DMX) TO CORRIDOR MIXED-USE (CMX) DISTRICT.

(The above Ordinance is recorded in full in Ordinance Book No. 24 at Page No. 3, and is known as Ordinance 2013-03.)

MULTI-JURISDICTIONAL INTERSTATE-85 COUNTY-WIDE INITIATIVE

Planning Board Chair Carl Repsher, and Mr. Bill Wagoner, Chair of Planning Board I-85 Study Committee, addressed Council regarding a multi-jurisdictional Interstate-85 county-wide initiative to encourage and support high-capital economic development and job growth.

Mr. Wagoner stated the Planning Board has worked for the last year to consider I-85 in context with the greater Rowan community. He explained the area of concentration is the 20-mile area from the Davidson County line to the Cabarrus County line.

Mr. Wagoner noted the I-85 Study Committee believes this corridor is an economic asset for the greater Rowan community. He pointed out the I-85 corridor has been divided into six study areas, and he displayed maps and reviewed each area.

Mr. Wagoner reviewed the importance of the Interstate-85 Corridor:

- Economic and transportation artery through entire Southeastern United States
- Rowan County is located in the heart of the Piedmont Atlantic Mega-region
- Labor Force:
 - 160,000 workers within 20 miles of Salisbury per Economic Development Commission (EDC)
 - 3.2 million workers within 50 miles of Salisbury (EDC)
- Region growth projection of 78 percent between 2010 – 2050
 - Regional Plan Association
- Initiative to promote and develop Rowan County as a leader in economic development and large-scale capital investment

Mr. Wagoner noted the Planning Board recommends Council consider joining this partnership and appoint thought-provoking, action-oriented, community-minded individuals that see beyond community borders and affiliations and seek to make Rowan County a model for capital intensive growth and job creation.

Mayor Woodson asked how many appointments are needed if Council decides to participate in the initiative. Mr. Repsher stated the problems many communities face require cooperation across jurisdictional boundaries, and key representatives are needed from governmental jurisdictions, major utilities, land-use planning groups, the EDC and the Rowan County Chamber of Commerce. Mr. Wagoner noted two members from each jurisdiction would be a good starting point, and other representatives would be brought in to strengthen the alliance.

Councilmember Kennedy stated a multi-jurisdictional Interstate-85 initiative is thought-provoking and exciting. He indicated he frequently travels Interstate-85 to the Charlotte/Mecklenburg area where there is a tremendous amount of development. He pointed out Rowan County has very little development in comparison. He indicated the issue should be addressed by someone other than governmental officials because it crosses jurisdictional boundaries. He stated he supports a multi-jurisdictional Interstate-85 county-wide initiative.

Mayor Pro Tem Blackwell praised the vision and noted it seems so obvious, yet no one has thought of it before. She noted Council has been requested to consider joining a multi-jurisdictional initiative today and then consider adopting a Resolution of Intent at a later date. She proposed finding a way to empower Mr. Wagoner and Mr. Repsher to approach other governmental units to seek their participation when Council considers adopting the Resolution of Intent.

Mr. Wagoner asked Council to consider appointing two individuals to be on the alliance if it chooses to proceed with an alliance.

Councilmember Miller stated the vision is right, but some of the discussions concern items that are vested in government, such as land use. He noted he has a concern regarding turning this responsibility over and would like more structure to the organization before Council considers appointing representatives. He suggested an organizational meeting where all stakeholders are invited to determine the structure of the organization. He pointed out a full time staff member can be dedicated to a specific topic, while a volunteer can only participate as time allows. He emphasized he is not critical of the idea, but he needs more information before nominating community representatives.

Councilmember Alexander agreed with Mr. Miller. She noted Salisbury is a member of the Cabarrus-Rowan Metropolitan Planning Organization (MPO) whose members are appointed by the governments mentioned in the presentation. She suggested the Planning Board attend an MPO meeting to speak to the elected officials, and then the MPO members could take the initiative back to their organizations. She agreed this should not become a political issue, but since the MPO is organized and has staff, it could help the volunteers.

Ms. Blackwell stated presenting the initiative to the MPO would take goodwill on the MPO's part because this type of initiative is not in its charter. She explained the MPO consists of one elected official from each city or township and one commissioner from each county. She noted the MPO's next meeting is February 27, 2013, and she volunteered to inquire if it would be willing to hear the presentation.

Mayor Woodson asked Mr. Wagoner and Mr. Repsher if they would present the initiative to the MPO. Ms. Blackwell suggested Mr. Wagoner and Mr. Repsher give it some thought and report back to Council.

Mr. Miller indicated he would like additional conversations to discuss the details to be worked out. He stated the stakeholders need to be in the room to have this conversation and outline how the initiative might work. He pointed out that seven or eight jurisdictions have been identified as having a role in the initiative, and perhaps they have professional staff who could participate in the discussion.

Ms. Blackwell indicated it appears there is consensus regarding the initiative, and she asked if it would be appropriate to appoint a Council committee to meet with Mr. Wagoner and Mr. Repsher regarding how the initiative should be formalized.

Mr. Kennedy noted he does not think Council is at this point. Mayor Woodson suggested Council consider the item at its next meeting.

Thereupon, Ms. Blackwell made a **motion** to join a multi-jurisdictional Interstate-85 county-wide initiative and consider adopting a Resolution of Intent at a later date. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE. (5-0)

Mayor Woodson thanked Mr. Wagoner and Mr. Repsher for their vision and work on the project.

REAL ESTATE – 100 BLOCK NORTH MAIN STREET

Interim Planning Services Director Janet Gapen indicated the City has received an offer to purchase property located in the 100 block of South Main Street. She explained the property in question is a portion of a City-owned parcel located behind the Plaza Building.

Ms. Gapen displayed a map of the area. She pointed out the property is used for parking and is critical for deliveries to Hap's Grill. She stated Mr. Greg Culp, owner of Hap's Grill, wishes to purchase a portion of the City-owned parcel to maintain access for delivery of goods. She explained the area is 415 square feet, and the City has received a bid for the purchase. She indicated if Council chooses to sell the property it will not result in a reduction of parking spaces for the area.

Ms. Gapen stated the property is not related to development or redevelopment of property so an upset bid process is required. She noted staff recommends Council accept the offer and authorize advertisement for upset bids.

Councilmember Kennedy asked about the time-frame for the upset bid process. Ms. Gapen indicated it is 10 days.

Thereupon, Mr. Kennedy made a **motion** to receive an offer from Mr. Greg Culp to purchase real estate, Tax Map 10-2 Parcel 560, located in the 100 block of North Main Street in the amount of \$4,485 and authorize the advertisement for upset bids. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE. (5-0)

LEE STREET UPDATE

Urban Design Planner Lynn Raker provided an update on the North Lee Street Pedestrian Enhancement Project in the 300 block of North Lee Street. She stated the project is complete except for a delivery of benches and trash receptacles scheduled for this week.

Ms. Raker explained the project was challenging and noted crushed storm water pipes were discovered in the intersection of Lee and Liberty Streets, just outside of the project area.

She stated Salisbury-Rowan Utilities (SRU) and the Street Division worked together to complete the repairs which improved drainage in the area. She pointed out it took innovative design to drain the sidewalks without allowing water into the buildings because they have low thresholds and low finished floor elevations.

Ms. Raker displayed photographs of the completed project, and she pointed out the project produced an attractive streetscape and sidewalks that are accessible. She indicated staff is confident the project satisfies the requirements of the North Carolina Department of Transportation (NCDOT) Grant by improving pedestrian safety and encouraging economic development. She pointed out the proposed location of the Lee Street Theater at the corner of Lee and Kerr Streets and stated it is a positive sign of economic development. She noted a local architect is working to design a parking lot at the corner of Kerr and Lee Street.

Ms. Raker reviewed the budget summary:

Total Project Revenue from NCDOT	\$290,000
Project Expenses	
Carolina Siteworks, Inc. – General Contractor	\$258,804
includes additional \$17,000 for drainage repair in Liberty Street	
Miscellaneous site, engineering and utility services	\$2,422
Street Lights	\$24,688
Benches and trash receptacles	\$3,594
Total Project Expenses	<u>\$289,508</u>

Mayor Woodson stated the transformation on the street is amazing. He congratulated staff on a job well done and asked when work on the project began. Ms. Raker stated the cost of \$290,000 was based on the utility conversion project that was completed in 2009, which NCDOT considered a worthy match. She noted the rehabilitation of Lee Street began in 2009 and the current construction project began in August 2012.

Councilmember Miller explained private investment follows public investment. He noted when the Lee Street Theater is completed and the parking lot at the corner of Kerr and Lee Streets is improved, public investment will follow. He indicated the improvements are a wonderful addition to the City. He thanked Ms. Raker and staff and noted the project is a great example of staff working hard to find a source of funding outside of the City's budget.

Councilmember Alexander congratulated Ms. Raker on meeting the budget for the project.

CONTRACT – EAST INNES STREET AND LONG STREET STUDY

City Engineer Dan Mikkelson addressed Council regarding a contract for Design Workshop, Inc. He explained the contract is a professional service contract for a comprehensive land-use and transportation study. He stated the study will focus on East Innes Street from the

interstate to downtown, and North and South Long Street for approximately one-half mile on each side of Innes Street. He noted the study will require community workshops and input and will look for ways to improve congestion. He indicated the study will evaluate all options for left-turns at the square and make a final recommendation.

Mr. Mikkelson reviewed funding for the project noting 80 percent will be reimbursed by Cabarrus-Rowan Metropolitan Planning Organization (MPO), 10 percent will be reimbursed by the North Carolina Department of Transportation (NCDOT), and the City will be responsible for the remaining 10 percent. He explained a committee represented by all parties involved in the project advertised for consulting services and selected Design Workshop Inc., a landscape architectural firm.

Mr. Mikkelson stated Design Workshop, Inc. has completed community oriented work in Winston-Salem and has an engineering sub-consulting firm that has worked in North Carolina. He indicated the selection committee recommends awarding the contract to Design Workshop, Inc. in the amount of \$120,000 for the East Innes and Long Complete Streets Study including left-turns at the square, subject to concurring approval by NCDOT and the MPO.

Mayor Pro Tem Blackwell reminded Council of the Brooklyn South Square neighborhood and its concern regarding the widening of South Long Street. She explained the widening of the street destroyed the community feel, and she pointed out Council promised this study would seek to resolve this issue. She indicated the study has a broad scope and this neighborhood should not be forgotten.

Mr. Mikkelson stated the Brooklyn South Square neighborhood is included in the group of stakeholders who will participate in the workshops and project. He noted during a Complete Streets Workshop participants walked to South Long Street to review how the concept of complete streets could help this corridor interact with the surrounding neighborhood. He noted the Brooklyn South Square neighborhood is included in the scope of service for this contract.

Councilmember Alexander asked if it would be appropriate for the Planning Board to work on a small area plan with this neighborhood. Mr. Mikkelson stated it would be appropriate to have a Planning Board subcommittee participate along with a neighborhood representative.

Thereupon, Ms. Blackwell made a **motion** to award a contract to Design Workshop, Inc. in the amount of \$120,000 for the East Innes and Long Complete Streets Study (including left turns at the square) subject to concurring approval by the North Carolina Department of Transportation and the Cabarrus-Rowan Metropolitan Planning Organization. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE. (5-0)

CITY MANAGER'S COMMENTS

City Manager Doug Paris stated he and Mayor Pro Tem Blackwell attended the February 4, 2013 Rowan County Commissioners meeting, and he would like to provide Council with an update on two actions taken at the meeting.

(a) Sales Tax Referendum

Mr. Paris stated the County Commissioners voted four to one to request a local bill to allow for a sales tax increase through a referendum. He indicated as the City Manager he has concerns regarding the proposal with the first being the timing of the referendum. He noted at the meeting Commissioners decided to request the referendum be placed on a municipal election and not a county-wide election, which could limit voter turnout. He pointed out the referendum should be held on a county-wide election cycle since it impacts all County residents.

Mr. Paris noted his second concern is the use of funds generated from the proposed sales tax increase. He explained a one-cent sales tax increase will generate enough revenue for the County to reduce its property tax rate by approximately four cents, but the discussion was for a two-cent decrease. He stated he is concerned about citizen perception regarding how the other two cents will be spent, and he pointed out the explanation was vague. He noted referendums pass when they have a specific purpose. He referenced the Rowan-Cabarrus Community College referendum and the public safety radio referendum where voters knew where the money was being spent and approved the referendum. He stated the purpose is too vague, and voters may not support it.

Mr. Paris stated the referendum should have a specific purpose such as a penny for public education. He recommend it be specifically earmarked for classroom and school security which is operations and not capital. He stated a penny for public education could help teachers be more effective in the classroom, allow the School Board to reduce class size, fund more resources, or improve the curriculum. He explained the funding would allow for improved safety by funding resource officers for the schools. He stated he believes this purpose would garner voter approval during the next county-wide election.

Mr. Paris indicated, as City Manager, he recommends communicating with the local delegation in Raleigh regarding this matter. He added he recommends specifically requesting any local sales tax referendum be placed on the ballot when the County Commission and School Board run for re-election due to higher voter turnout, and that the revenue be earmarked for education. He noted if Council is in agreement, he recommends requesting the School Board endorse this use of funds to improve education in Rowan County.

Mayor Pro Tem Blackwell stated the referendum would be available county-wide, but there would be lower voter turnout.

Mayor Woodson stated the schools have been given older buildings that will take several million dollars to renovate. He asked if the sales tax money could be used for these renovations if the Central School Office Building is not constructed downtown.

Councilmember Miller clarified the funds would be earmarked for operational use and renovating buildings would be capital. Mr. Paris stated the School System has done an excellent job pursuing grant money to further education in the County, and some of those opportunities are ending. He explained the referendum could continue the funding for many important programs and address safety concerns.

Mayor Woodson stated he supports the referendum if the School System would benefit, and all the municipalities could share in the sales tax that is generated.

Mr. Paris stated his main concern is that history dictates for a sales tax referendum to pass, it has to be for a specific purpose. He noted the current structure has a chance of passing, but he does not think it will garner community support.

Councilmember Alexander stated she supports the idea of a penny for education.

Mr. Miller stated the sales tax is a variable source of revenue while property tax is fixed. He noted he would need to better understand what is being proposed before he can take a stance on the issue. He pointed out he is in favor of a penny for education, but would like more information. He indicated the proposal will take the burden off of the property owner and place it on someone who is not a property owner through an increase in sales tax. He stated it could make sense depending on how the funds are used. He questioned why the Commissioners are not reducing the tax rate by four cents if the referendum gives them the ability to do so. He asked Mr. Paris and staff for more information.

Mr. Paris stated he is requesting permission from Council to share with the local delegation that Council prefers the referendum be held in a county-wide election, and that it supports the penny for public education.

Councilmember Kennedy reminded Council that if property taxes are reduced it reduces taxes for City residents too. He noted residents could expect Council to reduce City taxes as well.

Mr. Paris asked if there is a consensus on timing and purposes.

Thereupon, Mr. Miller made a **motion** to encourage the City's local delegation to have this referendum on a county-wide schedule in the fall of 2014 to match up with county-wide elections and for City Manager Doug Paris to make contact with local delegation to share the purpose of funding for education. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE. (5-0)

(b) Downtown Central Office

City Manager Doug Paris noted at the February 4, 2013 Rowan County Commissioners meeting there was a three-to-two vote regarding funding for the downtown Central School Office Building. He stated staff anticipated the vote and worked to develop back-up plans that would

allow the project to move forward. He asked Council's permission to explore options with School System staff that would move the project forward despite the Commissioners vote.

Mr. Paris explained the Commission wanted a building that could hold all administration staff but only wanted to spend \$6 million. He indicated City and School System staffs worked together and came up with a solution of joint financing. He asked Council if it wanted staff to explore the options and make a presentation to the elected bodies.

Mr. Paris stated the School Board has a meeting Thursday, February 7, 2013. He noted the School Board could discuss the purpose of the penny for public education and options to move the project forward in partnership with the City. He indicated if Council wishes to move the project forward, staff is willing to do the work.

Councilmember Miller pointed out during Council's last public comment session a citizen questioned the decision to offer the initial \$2 million to fund the gap between the County's pledge and the cost of the building. He explained it would be a pass-through transaction where the City facilitates funding necessary to bridge the gap in the original agreement. He indicated it would not be a situation where the City incurs liability without offsetting revenue. He pointed out the School Board has demonstrated it has sources of revenue for capital purchases, but it cannot legally borrow money. He stated an entity with the ability to borrow money must do it for them, and the County has indicated it does not want to borrow the money. He pointed out the County is the lead organization for funding to schools. He stated he would be pleased if the City could overcome the obstacle and make something positive happen for the community.

Thereupon, Ms. Blackwell made a **motion** to empower the City Manager and staff to pursue other alternatives in conjunction with the School Board and staff. Ms. Alexander seconded the motion.

Councilmember Kennedy asked for an amount so citizens will know what Council is considering. He stated it was \$2 million last time, and he asked if Council is considering \$8 million now.

Mr. Paris stated the amount could potentially be \$8 million. He noted the School System has the funding to pay the debt on the facility, but needs an entity that can issue the debt.

Mr. Kennedy stated he supports the proposal but wanted to make sure citizens were aware of the amount Council is prepared to borrow for the School Board.

Mayor Woodson stated as leaders in the community, Council needs to do all it can to make the region better and to attract business. He noted the region has great potential but must show it supports education. He indicated he fully supports the downtown Central School Office Building.

Mr. Miller clarified the motion is to authorize discussions and not to action. Mr. Paris stated all options will be brought back to Council and the School Board.

Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE.
(5-0)

MAYOR'S ANNOUNCEMENTS

(a) **Council Liaison Appointments**

Mayor Woodson suggested the following liaison appointments to community groups for Councilmember Alexander:

- (a) ABC Board
- (b) Parks and Recreation
- (c) Pops at the Post
- (d) Metropolitan Planning Organization-Alternate

Thereupon, Mr. Kennedy made a **motion** for Councilmember Alexander to serve as Council liaison for the ABC Board, Parks and Recreation, Pops at the Post and the Metropolitan Planning Organization Alternate. Ms. Blackwell seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Meses. Alexander and Blackwell voted AYE. (5-0)

(b) **Boards and Commissions**

Mayor Woodson announced the City of Salisbury is seeking citizens who have an interest in serving on one of the City's Boards and Commissions. Applications are being accepted for all boards and will be forwarded to Council as it considers its Board and Commissions appointments beginning March 2013. Information regarding the Boards and Commissions and applications are available online at www.salisburync.gov under the Boards and Commissions tab. Applications are also available at the City Clerk's Office located at 217 South Main Street, or by calling 704-638-5224.

(c) **Committees**

Mayor Woodson announced the City of Salisbury is seeking citizens who have an interest in serving on a Committee to Study Nuisance Animals and a Committee to Review the Historic District Guidelines. Applications are available online at www.salisburync.gov under the Boards and Commissions tab. Applications are also available at the City Clerk's Office located at 217 South Main Street, or by calling 704-638-5224.

(d) **28th Annual Future Directions and Goal Setting Retreat**

Mayor Woodson announced Salisbury City Council will hold its 28th Annual Future Directions and Goal Setting Retreat February 14-15, 2013.

(e) Salisbury Youth Council

Mayor Pro Tem Blackwell announced the Salisbury Youth Council will be sworn in Friday, February 8, 2013 at 3:00 p.m.

CLOSED SESSION

Mayor Woodson indicated Council needed to go into closed session concerning an economic development matter as allowed by NCGS 143-318.11(a)(4).

Thereupon, Mr. Kennedy made a **motion** to go into closed session to consult with an attorney concerning an economic development matter as allowed by NCGS 143-318.11(a)(4). Mr. Miller seconded the motion. Messrs. Kennedy, Miller, Woodson, and Ms. Alexander and Blackwell voted AYE. (5-0)

RETURN TO OPEN SESSION

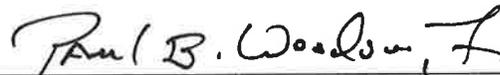
Thereupon, Ms. Blackwell made a **motion** to return to open session. Ms. Alexander seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Mses. Alexander and Blackwell voted AYE. (5-0)

Mayor Woodson announced no action was taken in Closed Session.

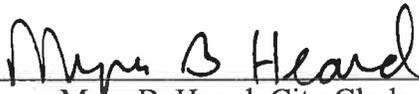
RECESS

Thereupon, Mr. Miller made a motion to recess until Monday, February 11, 2013 at 10:00 a.m. in the Council Chambers at City Hall, 217 South Main Street. Ms. Alexander seconded the motion. Messrs. Kennedy, Miller and Woodson, and Mses. Alexander and Blackwell voted AYE. (5-0)

The meeting was recessed at 6:50 p.m.



Paul B. Woodson, Jr., Mayor



Myra B. Heard, City Clerk