

Salisbury, North Carolina
September 3, 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 Miller.

PLEDGE OF ALLEGIANCE

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

RECOGNITION OF VISITORS

Mayor Woodson welcomed all visitors present. He recognized Dr. Judy Grissom, Superintendent of the Rowan-Salisbury School System; student Sam Furches; and Mr. Greg Dunn, United Way Vice-Chair who were in the audience.

CHANGES TO THE AGENDA

Mayor Woodson noted the following changes to the Agenda:

Postpone – Item 7 – Council to receive a presentation from the Rowan-Salisbury School System regarding its WRSS Student News Television program.

PROCLAMATION

Mayor to proclaim the following observances:

ROWAN COUNTY UNITED WAY	
“RAISED HERE, STAYS HERE” DAY	September 6, 2013
OVARIAN CANCER AWARENESS MONTH	September 2013
DESIGNATION OF SALISBURY AS A PURPLE HEART CITY	

CONSENT AGENDA

- (a) Approval of Minutes

Approve Minutes of the Regular Meeting of August 20, 2013.

- (b) Budget Ordinance Amendment – United States Department of Housing and Urban Development

Adopt a Budget **ORDINANCE** Amendment to the FY 2013-2014 budget in the amount of \$67,518 to appropriate grant funds from the United States Department of Housing and Urban Development.

Mayor Woodson indicated he would like to postpone Item 6b to receive further clarification.

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

ROWAN-SALISBURY SCHOOL SYSTEM WRSS STUDENT NEWS TELEVISION PROGRAM

This item was postponed.

UNITED WAY KICK-OFF EVENT

Councilmember Miller announced the United Way Kick-Off event will be held Friday, September 6, 2013 at 12:000 noon at the Agriculture Center on Old Concord Road. He stated this year's theme is "Raised Here, Stays Here."

SAFETY CONCERNS – INTERSECTION OF MONROE AND ELLIS, HORAH AND ELLIS, AND MONROE AND JACKSON STREETS

City Engineer Wendy Brindle explained at its August 6, 2013 meeting, Council received public comment regarding alternatives to improve safety at the intersection of Fulton and Monroe Streets. She noted public comment indicated support for the replacement of traffic signals with all-way stops at the intersections of Monroe and Ellis, and Horah and Ellis Streets. She stated staff evaluated the intersections and determined traffic volumes do not support a traffic signal at either intersection.

Ms. Brindle stated staff assessed the intersections for proper treatment and determined there is a variance between traffic volumes on Monroe and Ellis Streets. She indicated Monroe Street handles four times the traffic of Ellis Street with site distance obstructions at all four approaches. Ms. Brindle pointed out staff evaluated the intersection of Ellis and Horah Streets and noted the volumes are more equal with site distance obstructions on two of the approaches.

Ms. Brindle noted staff recommends an all-way stop at both intersections for a 60-day trial. She explained staff will cover the signal heads and install all-way stop signs for the 60-day evaluation. She added if the all-way stops are not appropriate, staff will return the traffic signals, and if the all-way stops are appropriate, staff will recommend removing the traffic signals.

Mr. Brindle noted at the public hearing citizens asked if an all-way stop at the intersection of Jackson and Monroe Streets would improve the situation at the intersection of Fulton and Monroe Streets. She explained staff determined it would not improve the situation and pointed out the intersection of Fulton and Monroe Streets is scheduled for an upgrade that is currently in progress. She indicated the traffic on Monroe Street is 10 times higher than traffic on Jackson Street, and staff does not recommend an all-way stop at this intersection. She added no accidents have been reported at the intersection in the last three years. She stated staff recommends a 60-day trial period for the intersection of Monroe and Ellis Streets and Ellis and Horah Streets. She added staff recommends leaving the intersection of Fulton and Horah Streets as is and re-evaluating it at a later date.

Mayor Woodson asked about the time frame for evaluation. Ms. Brindle explained it will be a 60-day trial and at the end of the trial staff will present a recommendation to Council regarding permanently implementing the all-way stops or re-implementing the traffic signals.

Mayor Pro Tem Blackwell stated Council heard from the neighborhood when it discussed the intersection of Fulton and Monroe Streets at its August 6, 2013 meeting. She explained there has been a high volume of accidents at this intersection. She noted a public hearing was held and neighbors alluded to other intersections. She asked if Council should give the neighborhood a chance to voice its opinion or if it believed the neighborhood has expressed its opinion.

Mayor Woodson pointed out the recommendation is a 60-day trial.

Councilmember Miller stated he is comfortable with the feedback from the public hearing. He noted citizens were concerned with speeds and an all-way stop will address speed in the area. He added a 60-day trial gives Council an opportunity to solicit feedback. He indicated public comment will be reported to Council.

Councilmember Kennedy noted he supports the 60-day trial.

Councilmember Alexander indicated she supports staff's recommendation. She pointed out larger traffic signals are being installed at the intersection of Fulton and Monroe Streets. She noted the intersection of Monroe and Ellis Streets is a good start, and staff can move forward if needed.

Ms. Blackwell stated since Council's August 6, 2013 meeting another accident has occurred at the intersection of Fulton and Monroe Streets. She emphasized something must be done.

Mr. Miller asked about the timeframe for installation of the larger traffic signals at the intersection of Fulton and Monroe Streets.

Ms. Brindle stated the North Carolina Department of Transportation (NCDOT) is waiting for utility installation. She noted Duke Energy is working on the upgrade and will be done in approximately two weeks. She added NCDOT will schedule crews shortly after Duke Energy finishes, and their upgrade will take several days.

Ms. Blackwell stated all-way stops were installed in her neighborhood several years ago and have been very effective.

Mayor Woodson asked if the 60-day trial will be long enough. Ms. Brindle stated 60 days should be enough, but if staff determines it needs more time the trial can be extended.

Thereupon, Ms. Blackwell made a **motion** to implement a 60-day evaluation period for all-way stops at the intersections of Monroe and Ellis and Horah and Ellis Streets. Mr. Kennedy seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Ms. Alexander and Blackwell voted AYE. (5-0)

SPEED LIMIT – HILL STREET

Street Lighting Technician Vickie Eddleman stated the City received a petition requesting a reduction in the posted speed on Hill Street, between Martin Luther King, Jr. Avenue and Railroad Street, to 25 mph. She displayed a map and noted the area is primarily residential with some industrial property. She noted 58 percent of property owners support the reduction in speed, and staff recommends approval.

Councilmember Kennedy asked if a plan is in place for enforcement if Council approves the reduced speed limit. Ms. Eddleman noted the Police Department will be made aware of the change.

Thereupon, Mr. Kennedy made a **motion** to adopt an Ordinance amending Section 13-336, Article X, Chapter 13 of the Code of the City of Salisbury, relating to speed limits-generally. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Ms. Alexander and Blackwell voted AYE. (5-0)

ORDINANCE AMENDING SECTION 13-336, ARTICLE X, CHAPTER 13 OF THE CODE OF THE CITY OF SALISBURY, RELATING TO SPEED LIMITS-GENERALLY.

(The above Ordinance is recorded in full in Ordinance Book No. 24 at Page No. 218, and is known as Ordinance 2013-36)

RESOLUTION – S. ELLIS HANKINS

Mayor Woodson asked Councilmember Kennedy for his comments regarding retiring North Carolina League of Municipalities Executive Director S. Ellis Hankins.

Mr. Kennedy stated he worked with Mr. Hankins for eight years on the Risk Management Board of Trustees and found him to be a great friend to the City. Mr. Kennedy explained Mr. Hankins is visionary, energetic, loyal, knowledgeable, and an advocate for municipalities. He pointed out Mr. Hankins is the fifth full-time Executive Director in the North Carolina League of Municipalities' 105-year history.

Mayor Woodson indicated he worked with Mr. Hankins through the years, and he is an asset to the municipalities he served. He wished Mr. Hankins well in retirement.

Thereupon, Mr. Kennedy made a **motion** to adopt a Resolution recognizing S. Ellis Hankins for his service as Executive Director of the North Carolina League of Municipalities. Mr. Miller seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Ms. Alexander and Blackwell voted AYE. (5-0)

RESOLUTION HONORING S. ELLIS HANKINS FOR HIS UNCEASING COMMITMENT, FOCUSED ENERGY AND LASTING CONTRIBUTIONS TO MUNICIPAL GOVERNMENT.

(The above Resolution is recorded in full in Resolution Book No. 14 at Page No. 22, and is known as Resolution 2013-15)

APPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS

This item was postponed. Mayor Woodson encouraged all citizens interested in serving to apply for a Board or Commission.

CITY MANAGER'S COMMENTS

(a) Downtown Central School Office

City Manager Doug Paris explained the City partnered with the Rowan-Salisbury School System on a downtown Central Office Project after Rowan County backed out. He noted the downtown location would have generated an estimated \$1.25 million in annual retail and provided a safe working environment for School System administrative employees. He pointed out 200 people attended the public hearing to support the project.

Mr. Paris noted as the *Salisbury Post* reported last week, staff had a conference call with the Local Government Commission (LGC) who shared its discomfort with Rowan County raising a legal issue regarding the project.

Mayor Woodson indicated Council thought the project was moving forward and was disappointed to hear about concerns from the LGC. He stated he does not understand why a new Central School Office Building is not wanted. He pointed out the project will not require a tax increase and bids and financing came in \$1 million less than anticipated. He explained School System funds will finance the project. He pointed out the School Board voted and approved a new office in the downtown area. He emphasized he does not understand why the County Commissioners do not want a Central School Office Building and reiterated the project will not increase property taxes.

Mayor Pro Tem Blackwell stated she is perplexed. She noted Council met with County Commissioners who wished the City well and indicated they would step out of the way. She pointed out Rowan County Commissioners declined to build the building because of financial constraints, and in the spirit of cooperation the City offered to help. She indicated she is confused because Commissioners publically wished the City well, but the LGC indicates that the County has raised concerns regarding conflicting Ordinances and other issues. She stated Rowan County Commissioners are honorable men, and she asked the Commissioners to write a letter in support of the City constructing the building, wishing the City good luck and promising not to interfere. She also asked the County Commissioners to publicly state in a letter their support of a long-term lease for the Central School Office Building. She emphasized Council met with Commissioners who said they were out of the project and wished the City well.

Mayor Woodson quoted Rowan County Commission Chair Jim Sides from an April, 19 2013 *Salisbury Post* article, "We are all excited at the good news related to the downtown central office site being cleared for construction by NCDENR and wish the City of Salisbury and the Rowan-Salisbury School System our very best as they move forward with this project." Mayor Woodson explained that quote gave Council hope that the project would proceed.

Ms. Blackwell stated she is asking the County Commissioners to back up what was said in writing so the City can resubmit the application to the LGC.

Mr. Paris indicated, in staff's opinion, a letter from Rowan County to the LGC confirming their public comments, including statements the County will not legally challenge the application, would be helpful. He added if the Commission will document what it has said publically in the *Salisbury Post* in a letter to the LGC, including that it will not legally challenge the project, it will address the discomfort the LGC shared with the City.

Councilmember Miller asked if the reality is the Commissioners do not oppose the project and wish the City well, or are the Commissioners planning to challenge the LGC's decision if the project moves forward. He commented the County is not being honest with public comments, or it is not being honest in its correspondence. He stated he would like nothing more than for the County to take Council up on its offer to write a letter in support of the project, but he has little confidence it will happen.

Mayor Woodson quoted Rowan County Commission Vice-Chair Craig Pierce as reported in the August 9, 2013 *Salisbury Post*, "We've got enough on our plate that we don't need to concern ourselves with what the City does."

Mr. Paris quoted an article printed August 22, 2013 in the *Salisbury Post* Rowan County Manager Gary Page, "No Commissioner has directed anyone to hinder the project."

Mr. Miller stated these comments are counter to what Council is hearing.

Councilmember Alexander stated Rowan County officials acted Wednesday to reassure the City that the County would not impede progress of the downtown school Central Office if the State approves the project. She noted it sounds like they are implying they will support it if the State approves the project, but the City would like their support prior to State approval. She indicated the State has reservations regarding approval of a project that could place the City in a legal situation. She stated she is proud of staff and its willingness to make decisions to avoid the possibility of legal action.

Ms. Alexander indicated Council does not want to be involved in situations that could cost taxpayers legal fees. She suggested asking the Commissioners to approve the letter in a called meeting so there is a public record of their support for the project. She emphasized resources have been wasted if the project does not move forward. Ms. Alexander explained approximately three-quarters of a million dollars have been expended in architectural fees and will be lost if the project is not in the downtown area. She pointed out the drawings are designed for the downtown site and will have to be redone if the location is changed. She added money

has been spent by the State and the City to prep the site. She pointed out the community has invested more than \$1 million in the project.

Ms. Alexander referenced time delays and noted the City has a current bid that is valid on the project right now. She emphasized if Commissioners act quickly the City can move forward with the project. She noted there will be no cost to the taxpayer, and asked what objection the Commissioners could have.

Councilmember Kennedy stated when he heard the City had to withdraw its application to the LGC he was disappointed. He added after speaking to City Manager Doug Paris and listening to the rationale he agreed, and he noted school buildings are the County Commissioner's responsibility. He added the City stepped out in faith to help the School System. He pointed out with the threat of a lawsuit, it is best for the City to withdraw its application. He emphasized County Commissioners claim they are not against the project. He added if the Commissioners write a letter in support of the project, hopefully it can move forward. He noted the architect is working to extend the bids for 30 days which would give the Commissioners time to write a letter of support. He indicated he supports the motion.

Ms. Blackwell explained the City reached out in good faith but is hearing two messages. She noted Council is hearing the Commissioners wish the City well and are out of the project, but Council is also hearing there is an effort to undermine the project. She stated she is asking Council to give Commissioners the opportunity to put in writing their verbal support of the project.

Thereupon, Ms. Blackwell made a **motion** to request Rowan County send a letter this week to the Local Government Commission, copying the City, and confirming public statements made to the Salisbury Post that they will not legally challenge the project, and that they have not and will not in the future interfere with the City's application or the project, and that they are happy this item is off their plate, that Rowan-Salisbury School System employees will have a safe working environment, and they wish the City well in its partnership with the Rowan-Salisbury School System on this project. Ms. Blackwell further moved that as a sign of partnership we request that the Rowan County Board of Commissioners agree to support a long-term lease for the facility in writing. Ms. Blackwell further moved that the City Manager, after receiving such documents, reinstate the City's application with the LGC upon receipt of such letter as it should address the LGC's discomfort with a potential legal challenge directed by the County.

Ms. Alexander stated she supports Ms. Blackwell's motion and would like Council to consider an amendment requesting the Commissioners bring this item up at a meeting. She explained if the item is approved in an open meeting it will have a permanent record. She added it may have to be a called meeting to expedite the item.

Mayor Woodson indicated the project is on a time schedule, and he is not sure there is enough time for a formal vote. He noted he would be satisfied with a letter of support, but it would be good to have a formal motion.

Mr. Kennedy stated a public setting with a vote would be preferable, but he would be satisfied with a letter that will assure the LGC.

Mayor Woodson asked if Ms. Blackwell accepted the amendment. Ms. Blackwell noted she will accept the amendment if Council is in consensus.

Mr. Miller stated Ms. Alexander's amendment allows the Commissioners to have a called or regularly scheduled meeting. He emphasized the letter must be signed by a majority of the Commissioners.

Ms. Blackwell accepted the amendment to the motion. Ms. Alexander seconded the motion. Messrs. Kennedy, Miller, and Woodson, and Ms. Alexander and Blackwell voted AYE. (5-0)

Mayor Woodson noted Council sincerely hopes the Rowan County Commissioners will allow the project to proceed for the betterment of the community. He stated the Downtown Central School Office Building will let the public know the City and County are committed to children and their future.

Mr. Miller stated if the request is ignored it will indicate the Commissioners are not saying what they mean.

Mr. Kennedy pointed out he would rather think positively. He added Salisbury is a progressive city and wants the County to be progressive as well.

Mr. Paris stated either way this will bring closure to the item. He explained a letter from the County, or lack thereof, will clarify their stance in the minds of Council, staff, citizens, and the LGC. He noted regardless of the decision the City and the School Board will know how to proceed.

Mr. Kennedy stated Dr. Judy Grissom and Mr. Gene Miller are preparing to retire. He added hopefully things will go well and before their retirement the City can begin work on the building.

(b) Bond Rating

City Manager Doug Paris asked Assistant City Manager John Sofley to update Council regarding the City's bond rating. Mr. Sofley explained when the City issues debt it is rated by one of three large rating agencies: Standard and Poor's, Moody's, and Fitch. He added each group rates different bonds. He stated after a group has rated a bond issue it will review the debt rating every two to three years.

Mr. Sofley explained this year Standard and Poor's reviewed the City's General Obligation (GO) Bonds and Certificates of Participation (COPS). He noted financial information and demographics were provided, and after review Standard and Poor's increased the City's GO bond rating from A+ to AA- and COPS rating from an A to A+.

Mr. Sofley noted Standard and Poor's stated the upgrades reflect access to the Charlotte and the Winston Salem economies and employment bases, a very strong market value per capita, strong financial performance, position, a debt load that is below average, and above average amortization rate. He clarified the debt per person is below normal, and the City is retiring debt faster than other municipalities. He added Standard and Poor's noted the financial performance has grown significantly stronger over the last two fiscal years due to management raising revenue and budgeting expenditures.

Mr. Sofley thanked Council for its support and leadership.

Mayor Woodson stated the City's finances have come a long way in the past two years. He congratulated staff on the rating and thanked Mr. Paris and staff for keeping the City's finances in check.

(c) Rowan County Commissioner Jon Barber

Mayor Woodson recognized Rowan County Commissioner Jon Barber and asked if he had any comments for Council.

Mr. Barber stated he had wanted to hear discussion regarding the downtown Central School Office Building, but was at the Rowan County Commissioners meeting that just ended. He referenced headlines from the August 7, 2013 *Salisbury Post* indicating the Mayor declared a new day of cooperation. He referenced the book of Jonah and noted Jonah was a good person but could not see the good in others. He stated it is wrong to let a personal sense of injustice get in the way of reaching out, and when it happens people live with the reality of broken relationships that do not need to be broken. He referenced Council's August 6, 2013 meeting and its willingness to help the County pay for airport improvements. He quoted Vice-Chair Craig Pierce, "I hope we can put this behind us and work together in the future." He pointed out Mayor Woodson told the public to mark August 6, 2013 as the day the City and the County decided to work together for the betterment of the community.

Mr. Barber stated, as one Commissioner, he accepts the declaration, and he thanked Council for its willingness to work for the betterment of the community. He challenged Council and the Commission to live up to the new spirit of cooperation. He referenced Mayor Pro Tem Blackwell's comments from an August 7, 2013 *Salisbury Post* article and noted the public will be watching. He added he looks forward to the elected bodies working together in the future.

Mayor Woodson explained to Mr. Barber Council took action to request Rowan County Commissioners write a letter to the LGC stating they are not opposed to the downtown central office project or a long-term lease. He asked Ms. Blackwell to restate her motion for Commissioner Barber.

Ms. Blackwell stated her motion was to request Rowan County send a letter this week to the Local Government Commission, copying the City, and confirming public statements made to the *Salisbury Post* that they will not legally challenge the project, and that they have not and will

not in the future interfere with the City's application or the project, and that they are happy this item is off their plate, that Rowan-Salisbury School System employees will have a safe working environment, and they wish the City well in its partnership with Rowan-Salisbury School System on this project.

She noted she further moved that as a sign of partnership the City request that the Rowan County Board of Commissioners agree to support a long-term lease for the facility in writing.

She added she also further moved that the City Manager, after receiving such documents, reinstate the City's application with the LGC upon receipt of such letter as it should address the LGC's discomfort with a potential legal challenge directed by the County.

Mr. Barber stated the motion was well received and understood.

Mayor Woodson explained Council wants to understand why Commissioners may not want the project. He emphasized the project will not raise taxes and pointed out the project and its financing came in lower than anticipated. He added Council wants to know where the Commission stands regarding the project.

Mr. Barber asked if the deadline for the letter is this week in order to place the item on the LGC's October Agenda. Ms. Blackwell stated that is correct.

Councilmember Kennedy asked how Council plans to share its request with Rowan County Commissioners.

City Clerk Myra Heard stated she will contact the Rowan County Clerk to share the request for a letter.

Mayor Pro Tem Blackwell thanked Commissioner Barber for addressing Council and noted he is always welcome at Council meetings.

Mayor Woodson thanked Commissioner Barber for his support of the project.

MAYOR'S ANNOUNCEMENTS

(a) **"Movies in the Park"**

Mayor Woodson announced the Salisbury Parks and Recreation Department will host "Movies in the Park" at City Park Friday, September 6, 2013. The movie will begin at 8:00 p.m. Bring a blanket or chair to watch the featured movie "Safe Haven." The free event is sponsored by Fibrant, open to the public and will offer free child care. Children will be accepted at 7:15 p.m.

(b) Public Comment – Dee Dee Wright

Ms. Dee Dee Wright, 418 South Caldwell Street, addressed Council regarding the downtown Central School Office Building. She stated she supports requesting a letter from Rowan County Commissioners, but pointed out the *Salisbury Post* indicated a citizen may sue, and this was not addressed in the letter request. She asked what will happen if the application is resubmitted and a citizen decides to sue.

City Manager Doug Paris stated if the County will send a letter, as outlined in Council's motion, it should resolve the discomfort regarding the project's legal issues. He emphasized the key piece is the Commissioner's support of a long-term lease.

Mayor Woodson noted if the project has a long-term lease the City will not have to worry about legal action. Mr. Paris stated that is correct.

(c) CONNECT Our Future

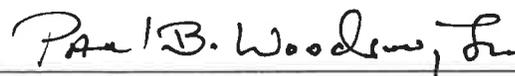
Councilmember Alexander announced she attended a CONNECT Our Future meeting in Charlotte. She explained CONNECT Our Future is a study of 17 counties in the region including Rowan County. She stated a meeting will be held October 15, 2013 at the Civic Center, 315 South Martin Luther King, Jr. Avenue and the public is invited to attend.

(d) Long Street and Innes Street Complete Streets Study

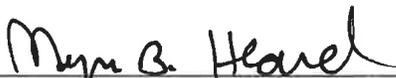
Mayor Woodson announced the Long Street and Innes Complete Streets Study will be held Wednesday, September 4, 2013 at City Hall from 5:30 p.m. until 6:30 p.m. He noted discussion will include left turns at the square, and the public is invited to attend.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Kennedy seconded by Ms. Alexander. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 5:03 p.m.



Paul B. Woodson, Jr., Mayor



Myra B. Heard, City Clerk