

Salisbury, North Carolina
January 6, 2015

REGULAR MEETING

PRESENT: Mayor Paul B. Woodson, Jr., Presiding; Mayor Pro Tem Maggie A. Blackwell, Council Members Karen Kirks Alexander, and William (Pete) Kennedy; Interim City Manager John Sofley; City Clerk Myra B. Heard; and City Attorney F. Rivers Lawther, Jr.

ABSENT: Councilmember William Brain Miller

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

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

RECOGNITION OF VISITORS

Mayor Woodson welcomed all visitors present.

CHANGES TO THE AGENDA

Mayor Woodson noted the following changes to the Agenda:

Postpone – A portion of Item 7 – Council to receive Highlights and Goals presentations from Salisbury Tourism and Cultural Development Commission.

Change – Item 12 – Council to go into closed session regarding a personnel matter as allowed by NCGS 143-318.11(a)(6).

PROCLAMATION

Mayor to proclaim the following observance:

DR. MARTIN LUTHER KING, JR. DAY

January 19, 2015

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of December 16, 2014 and the Recessed Meeting of December 19, 2014.

(b) Budget Ordinance Amendment – Revenue Public Art Committee

Adopt a Budget **ORDINANCE** amendment to the FY2014-2015 budget in the amount of \$13,000 to appropriate revenue for the Public Art Committee.

ORDINANCE AMENDING THE 2014-15 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE PUBLIC ART CONTRIBUTIONS.

(The above Ordinance is recorded in full in Ordinance Book No. 25 at Page No. 1, and is known as Ordinance 2015-01)

(c) Right-of-way Use Permit – 200 Block of West Innes Street

Extend the right-of-way use permit for temporary closure of the outside lane of westbound traffic in the 200 block of West Innes Street from 9:00 a.m. until 4:00 p.m. weekdays through January 30, 2015.

Thereupon, Mr. Kennedy made a **motion** to adopt the Consent Agenda as presented. Ms. Alexander seconded the motion. Messrs. Kennedy, and Woodson, and Meses. Alexander and Blackwell voted AYE. (4-0)

HIGHLIGHTS AND GOALS – COMMUNITY APPEARANCE COMMISSION

Ms. Sue McHugh, Chair of the Community Appearance Commission (CAC), and Ms. Lynn Raker, staff liaison, presented the CAC Highlights and Goals. Ms. McHugh reviewed the Highlights for 2014:

- Awarded six Municipal Service District Incentive Grants
 - Total Grants – \$22,000 of \$22,000
 - Total Project Amounts – \$402,000
- Awarded 10 Innes Street Improvement Grants
 - Total Grants – \$17,624 of \$20,000
 - Total Project Amounts – \$54,000
- Public Art Committee
 - Continued to promote the Salisbury History and Art Trail
 - 2014 Salisbury Sculpture Show
 - Governor Pat McCrory, “...extremely innovative. Maybe that’s an idea we can borrow throughout the State.”
 - Sculpture at I85 Exit 76
 - “Art that moves you” State-wide initiative
- Neighborhoods and Education Committee
 - Neighborhood Leaders Alliance
 - Bi-annual meetings
 - Continued support for Housing Advocacy Commission (HAC)
 - Fourth BlockWork event – 900 block of West Horah Street
 - BlockWork mini-project – 1131 North Main Street
 - Co-sponsored Spring and Fall spruce-up with the Public Services Department
 - Adopt-a-Street program
 - Rowan Helping Ministries
 - Brooklyn South Square Neighborhood
 - Park Avenue Neighborhood
 - Food Lion – Harrison Road
- Landscape Committee
 - 10th Annual Holiday Storefront Decorations Awards
 - Landscape of the Month Awards
- CAC and Tree Board Awards

Ms. McHugh reviewed the 2015-2016 Level 1 Goals:

- Support implementation of the East Innes and Long Complete Streets Plan
- Collaborate with staff, Downtown Salisbury, Inc. (DSI) and other stakeholders regarding implementation of Council goals for economic development
 - Improve and enhance downtown Salisbury
 - Develop a downtown infrastructure plan
- Collaborate with Community Development Corporation (CDC), Historic Salisbury Foundation (HSF), and North Main Neighborhood Association (NOMA) regarding improvements along North Main Street

- Support planning efforts for the Chestnut Hill neighborhood
- Support planning efforts for Dixonville-Lincoln Memorial
- Support planning efforts for the South Main Street corridor
- Assist with plan for improvements at primary West End entrances
- Support planning and implementation of “Centerpiece” multi-purpose cultural plaza

Ms. McHugh reviewed the Level 1 goals requiring funding:

- Continue the Municipal Service District Incentive Grant Program – \$25,000
- Continue the Innes Street Corridor Improvement Grant Program – \$25,000
- Continue promotion of programs – \$1,500
 - Spring and Fall Spruce-up Days
 - Landscape of the Month
 - Adopt a Salisbury Street
 - Other programs
- Continue to expand the Salisbury History and Art Trail marker program and host the 8th annual Sculpture Show – \$20,000
- Hold the annual BlockWork program to promote neighborhood improvements block-by-block – \$10,000
- Begin three-year phased replacement plan for downtown trash receptacles - \$10,000
- Host biennial CAC/Tree Board Awards Program - \$4,000
- Bi-annual plantings in downtown planters with Parks and Recreation and Landscaping – \$1,000

Ms. McHugh noted the Municipal Service District Grant, administered from 1981 through June 30, 2014, yielded a total of \$492,000 in public investment and leveraged \$7.5 million in private investment, a ratio of 1 to 15 public to private investment.

Ms. McHugh reviewed the Innes Street Improvement Grant and pointed out \$371,000 in public investment has leveraged more than \$4.9 million in private investment, for a ratio of 1 to 13 public to private investment. She indicated this investment results in a dramatic increase in tax revenues, tourism dollars, sales tax revenues, and jobs.

Ms. McHugh stated continued improvements in the downtown reveal a strong connection between incentive grants and economic development. She pointed out the grants support Council’s goals including:

- Renovations projects
- Attractive downtown
- Upper-floor use
- Higher tax values
- Increased tourism
- Additional jobs

Ms. McHugh discussed other key Goals for the CAC:

- Support City efforts to address deteriorated housing
- Continue to raise awareness of public art opportunities
- Continue to serve as a liaison for neighborhood leaders and to host bi-annual neighborhood leader meetings

Ms. McHugh thanked Council for its support of the CAC and its vision for the City.

Mayor Woodson recognized the CAC for all it does for the community.

HIGHLIGHTS AND GOALS – GREENWAY COMMITTEE

Ms. Carol Massey, Greenway Committee member, and Mr. Stephen Brown, staff liaison, presented the Greenway Committee's 2014 Highlights and 2015 Goals.

Ms. Massey explained the Greenway system consists of 3.1 miles of trails that include walk connectors every tenth mile. She displayed a map of the Greenway and pointed out the trail markers have been installed. She reviewed 2014 Highlights:

- Greenway area:
 - Memorial Park – .4 mile
 - Forest Hills – .4 mile
 - Prescott – .8 mile
 - Grants Creek – .7 mile
 - Kelsey Scott – .3 mile
 - Brenner Avenue – .8 mile
- 13th annual Earth Day Exploratory at the Greenway
- 17th annual Run Walk for the Greenway 5K

Ms. Massey then reviewed the Greenway Committees Goals for 2015:

- Continue phase three of Greenway development
 - Kelsey Scott/Grants Creek Connector
 - Support a subcommittee to pursue grants and easement agreements for phase three of the Greenway
- Coordinate the 18th annual 5K Run Walk for the Greenway
 - July 18, 2015
- Coordinate the 14th annual Earth Day Exploratory
 - April 22, 2015

Ms. Massey thanked Council for its support of the Greenway Committee.

Mayor Woodson thanked Ms. Massey and Mr. Brown for their presentation and expressed Council's gratitude to the Greenway Committee.

HIGHLIGHTS AND GOALS – HUMAN RELATIONS COUNCIL

Reverend Carolyn Bratton, Human Relations Council (HRC) Chair, and Ms. Michelle Nguyen, HRC staff liaison, presented the HRC Highlights and Goals. Reverend Bratton reviewed the 2013-2014 Highlights:

- New Partnerships – Lee Street Theater, Rowan Helping Ministries, Salisbury Parks and Recreation
- New Initiatives
 - Voices from the Margin
 - *Our State* Magazine article on the Peace Pole Project
 - Back to School Event and school supply giveaway
- New HRC logo and website
 - www.humanrelationscouncil.org
- Continued Projects
 - Fair Housing Workshop
 - Mayor's Spirit Luncheon
 - Let's Get Connected Day
 - 28th annual Dr. Martin Luther King, Jr. Celebration
 - La Fiesta De Rowan
 - Elizabeth Duncan Koontz Humanitarian Award Banquet

Ms. Nguyen presented the 2013-2014 Budget Report:

| | Revenue as of October 31, 2014 | Expenses as of October 31, 2014 | Balance as of October 31, 2014 |
|--|--------------------------------------|---------------------------------------|--------------------------------------|
| HRC | \$5,150.00 | \$393.50 | \$4,756.50 |
| Hispanic Coalition Covenant Community Connection | \$3,120.00 | \$6,178.22 | (\$3,058.22) |
| Elizabeth Duncan Koontz Banquet | \$0.00 | \$0.00 | \$0.00 |
| Martin Luther King, Jr. Celebration | \$150.00 | \$0.00 | \$150.00 |
| | \$0.00 | \$22.19 | (\$22.19) |
| Total | | | \$1,826.09 |

Reverend Bratton reviewed the HRC upcoming events:

- 29th annual Dr. Martin Luther King, Jr. Celebration
- Mayor's Spirit Lunch – March 31, 2015
- Let's Get Connected Day at Royal Giants' Park, East Spencer – May 16, 2015
- Peace Pole article in *Our State Magazine* – March 2015 issue
- Elizabeth Duncan Koontz Humanitarian Awards – April 2015
- Voices from the Margin with Lee Street theater – Fall 2015
- La Fiesta de Rowan – September 26, 2015

Reverend Bratton thanked Council for its continued support of the HRC.

Mayor Woodson thanked Reverend Bratton and Ms. Nguyen for their service and the HRC for all it does for the community.

Councilmember Kennedy asked members of the Community Appearance Commission, Greenway Committee, and the HRC to stand and be recognized.

Mayor Woodson thanked the Committee members for their service to the community.

EAST INNES AND LONG COMPLETE STREETS PLAN

City Engineer Wendy Brindle explained at its December 2, 2014 meeting Council received a presentation regarding the East Innes and Long Complete Streets Plan and scheduled a public hearing for January 6, 2015. She noted the public hearing was advertised on Twitter, in the *Salisbury Post*, and on WSTP 1490 local radio. She added the Plan was available for public review on the City's website and at the One Stop Shop.

Ms. Brindle noted the East Innes and Long Complete Streets Plan was developed with significant public input. She reviewed the public input process:

- Steering Committee established – August 2013
 - Held four meetings
- Public input
 - Public input session with key pad polling
 - Three-day charrette
 - Public meetings at First Calvary Baptist Church
 - Meeting to present entire plan
 - Meeting to focus on Long Street
 - East Innes Street business owners
 - Public meeting at City Hall
 - Individual meetings as requested

Ms. Brindle pointed out a revision was made to the plan on sheets 28 and 29 to reflect existing driveways at Sam's Car Wash.

Ms. Brindle noted at its December 2, 2014 meeting Council requested staff review the turning radius for large trucks at the square. She pointed out for a large truck to make the turn and stay on its side of the yellow line it would require the entire truck apron. She added if the truck could swing into the opposite lane it would stay off most of the truck apron. She stated if improvements were proposed at the square, staff could evaluate the designs.

b) Mayor Woodson convened a public hearing, after due notice thereof, to receive comments regarding the East Innes and Long Complete Streets Plan.

Ms. Sue McHugh, 910 North Main Street, addressed Council representing the North Main Neighborhood, the Community Appearance Commission (CAC), and as an active volunteer for Downtown Salisbury Incorporated (DSI) and the Downtown Merchants Association. She noted she has a vested interest in the success of the City and she supports the changes presented in the Complete Streets initiative which will increase walkability and pedestrian safety. She stated reduced street widths would restore residential character to the neighborhoods. She added the proposed changes will make the neighborhoods desirable to live in, and she pointed out when more people live in an area, property values increase strengthening the property tax base.

Mayor Woodson asked citizen in the audience representing the North Main neighborhood to stand and be recognized.

Mr. Eric Phillips, 145 Peace Lane, Mocksville, stated he owns a business on West Innes Street. He noted he supports the plan as a bicyclist. He pointed out local businesses are easier for bicyclists to patronize, and if Council wants to attract more downtown businesses it needs to get people out of their cars. He noted if changes are not made, motorists will drive through downtown to the interstate taking their business to another community.

Mr. Miko Martellie, 1110 North Jackson Street, indicated he supports the plan. He explained he chooses not to drive and implementation of the plan would improve pedestrian safety. He noted walking the corridor can be dangerous, and it is extremely difficult to cross the street. He pointed out the plan area includes Rowan Helping Ministries, where the majority of residents walk or bike. He stated Complete Streets Plans in other areas also encourage bicycle and pedestrian traffic while increasing efficient traffic flow. He pointed out most visitors enter the City from I-85, which does not reflect the downtown character. He added the implemented Complete Streets Plan would give visitors an indication to how beautiful the downtown really is. He asked Council to support the East Innes and Long Complete Streets Plan.

Dr. Jed Robinson, 1106 Overhill Road, stated he recently moved his family to the City. He pointed out he has lived in other communities that encourage bicycling and support active lifestyles. He added, as a physician, he works to promote physical and mental health. He emphasized moving the body and spending time outdoors reduces anxiety and depression. He noted connecting the community will increase the sense of belonging, and he stated he supports the plan.

Ms. Nicole Robinson, 1106 Overhill Road, indicated she recently moved from Portland, Oregon and looks forward to enjoying the City with her family on their bicycles. She added the proposed plan promotes bicycle and pedestrian safety which allows citizens more freedom to enjoy the City.

Ms. Anne Lyles, 409 East Bank Street, Brooklyn South Square Neighborhood Association President, pointed out her neighborhood is located at the intersection of South Long and East Bank Streets. She noted Long Street was widened years ago when City leaders believed industry would increase in the area. She explained the area remained residential, and she pointed out the wide street is dangerous to cross and divides the community. She stated she travels East Innes Street on a regular basis and drivers never know where a pedestrian will try to cross the street. She added she is pleased the plan addresses pedestrian access to East Innes Street and works to unify South Long Street. She asked Council to approve the East Innes Long Complete Streets Plan.

Mayor Woodson asked citizens in the audience who supported the plan to raise their hands. Approximately 50 citizens raised their hands. He then asked citizens who oppose the plan to address Council.

Clyde, East Bank Street, stated he attended all of the planning sessions. He pointed out the plan cost \$130,000 which could have been used to implement the proposed changes. He stated the consultant did not listen to citizens during the planning sessions. He indicated two meetings were held at First Calvary Baptist Church, and the parking situation did not change. He pointed out citizens continue to ask for lights and sidewalks along Old Concord Road, and a portion of the \$4 million needed to implement the plan could be used for the lights and sidewalks. He noted he does not disagree with the entire plan, but it is too expensive to implement and would block the view of Dixonville Cemetery.

Ms. Dee Dee Wright, 418 South Caldwell Street, stated she attended the planning sessions, and they did not produce a definitive plan regarding funeral traffic on South Long Street. She noted the community is still asking for sidewalks and lighting along Old Concord Road. She asked Council as it does its due diligence to consider what is happening within the African-American community.

Mayor Pro Tem Blackwell stated she and Mayor Woodson are continuing to work toward funding for sidewalks along Old Concord Road and lighting under the bridge.

Ms. Wright noted Ms. Blackwell reported the search for funding approximately three months ago. She added the East Innes Long Complete Streets Plan is moving quickly, and the community would like a resolution on Old Concord Road.

Mayor Woodson pointed out lighting and sidewalks on Old Concord Road will cost approximately \$500,000. He added implementing the East Innes Long Complete Streets Plan will take time, and Council is trying to make sure citizens support the plan. He noted he and Ms. Blackwell will continue to work to find funding for the sidewalks and lighting along Old Concord Road.

Ms. Sandra Russell, 509 Harrell Street, noted she is a lifelong resident of the Dixonville community and a member of First Calvary Baptist Church. She stated Councilmembers met with citizens at the Church regarding the plan, and church members approved some of the proposed changes. She noted the Church voiced its opposition to bicycle lanes due to a lack of bicycle traffic. She pointed out the area has undergone changes in the past that interfered with the feeling of community. She added she does not see members of the Brooklyn South Square neighborhood walking on Long Street on a daily basis. She noted many area residents are elderly and the proposed changes could affect their property taxes possibly forcing them out of the area.

Mayor Woodson asked members of the audience who did not support the plan to raise their hands. Eight citizens raised their hands.

Mr. Glenn Allen and Mr. Dwight Allen, owners of Sam's Carwash, addressed Council. Mr. Glenn Allen noted he is surprised more business owners did not attend the Council meeting. He stated he is concerned about the effects of the plan on the East Innes Street district, which is a major business area in the City. He added many business owners see the plan as a beautification project. He asked if the plan will slow traffic on East Innes Street or divert it to other areas. He noted he does not think narrowing streets or installing medians will improve safety. He added there is no room for bicycle lanes on East Innes Street. He indicated several years ago the City pushed for a high-volume interchange at I-85 and now it wants to stifle traffic. He asked about funding to implement the plan, and he stated he does not support the plan.

Mayor Woodson noted Council will do all it can to make sure access to businesses are not blocked. He stated Council has emphasized it does not want to hinder area businesses. He added many aspects of the plan promote safety, and implementation of the plan will take time.

Mr. Allen asked about the timeframe should Council adopt the plan. He pointed out construction in the area will hurt businesses. Mayor Woodson assured Mr. Allen Council will implement the plan with caution. Mr. Allen stated the plan would be good for new sections of the City, but it will be hard to implement in an established area.

Ms. JoAnn Hoty, 229 South Long Street, stated she has heard people say that they do not see pedestrians in the Brooklyn South Square Neighborhood. She noted her family walks in the area and the lack of buffer between the sidewalk and the street can be frightening. She added residents with children walk the neighborhood daily, but it is not safe for them to walk on Long Street. She stated she believes parallel parking next to the sidewalk would give pedestrians on Long Street a buffer from the traffic.

Ms. Rhonda Harrison and Mr. David Harrison, 1219 Old Concord Road, addressed Council in support of the East Innes Long Complete Streets Plan. Ms. Harrison stated with the implementation of the plan she hopes to see more cyclists in the area. She noted her family is planning to relocate to the Bernhardt Building and at times will bike to their business on Old Concord Road. She added the plan is important for safety and will enhance awareness of cyclists and pedestrians. Mr. Harrison stated he visited Portland, Oregon, and he was surprised to see

bicycle and vehicular traffic together. He added once his family moves to the Bernhardt Building bicycles will be their main form of transportation.

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

Councilmember Alexander stated the public has participated in the process, and she feels it is a good plan that can be implemented over time as funding becomes available. She added in 1995 an East Innes Street charrette took place which allowed the City to take advantage of grant opportunities because it had a plan in place. She pointed out the total cost of the plan is \$120,000, but the City only paid \$12,000 with the majority of the plan being funded by the North Carolina Department of Transportation (NCDOT). She stated it is a good plan, and motorists, pedestrians and cyclists must work and live together. She stated she supports the plan and hopes Council will work toward an implementation strategy that can be refined as issues arise.

Mayor Pro Tem Blackwell noted there is a reason when bicyclists and pedestrians are not seen in an area, and when citizens feel safe they will walk and ride their bikes. She pointed out there is a document that outlines the accountability of Council members, and citizen safety is a top priority. She explained NCDOT funded the majority of the study due to pedestrian fatalities along East Innes Street. She emphasized this is a serious issue that must be addressed, and she supports the plan.

Councilmember Kennedy stated he is concerned about the safety of citizens trying to cross East Innes Street, and safety is the main priority of the plan. He noted Council does not want to divide the community, and he added change can be difficult. He emphasized this change will be good for the entire City. He stated the City does not have \$4 million to implement the plan, and it can be completed in stages to improve safety. Mr. Kennedy noted he believes the community will support the plan in the future. He indicated Council strives to please the community, but it must also do what is best for the City and its citizens. He added if citizens will allow Council to lead them as they were elected to do, Council will do all it can to keep citizens safe. He stated he supports the plan.

Mayor Woodson pointed out 10 to 12 years ago Council endorsed a downtown Central School Office Building that is yet to be built. He stated the East Innes Long Complete Streets Plan will not happen overnight, but a plan is needed for the future. He noted a median on South Long Street would make it easier for children crossing the street to get to Lincoln Park Pool. He stated he supports the plan, and he pointed out in the last two days Council has received 13 emails - 12 in support and 1 against the plan. Mayor Woodson asked any area business owner who feels the plan is hurting their business to speak with Council. He emphasized Council will do all it can to ensure no businesses are hurt by the implementation of the plan.

Thereupon, Ms. Alexander made a **motion** to adopt the East Innes and Long Complete Streets Plan. Ms. Blackwell seconded the motion. Messrs. Kennedy, and Woodson, and Meses. Alexander and Blackwell voted AYE. (4-0)

CD-06-2014 – YADKIN PATH MONTESSORI SCHOOL

Planner Catherine Garner addressed Council regarding CD-06-2014 a request by Yadkin Path Montessori School to rezone approximately nine acres, two parcels, by:

- Changing existing General Residential (GR6) base zoning to Residential Mixed-Use (RMX)
- Establishing a new conditional district overlay to permit a child daycare center and elementary/secondary school

Ms. Garner reviewed the Master Plan and pointed out the existing building, which is the former Kiwanis Camp. She noted the building will be renovated and will house a child daycare center. She displayed an artist's rendering of the project, and she described repairs that would be done to the facility. She stated expansion is not proposed at this time.

Ms. Garner presented a map of the area and pointed out the proposed Yadkin Path Montessori School located in the City's Extra Territorial Jurisdiction (ETJ). She displayed photographs of the property, and she explained a CD Overlay:

- Floating overlay zone
- Master Plan required
- Allows alternative design
- Certain provisions of the Land Development Ordinance (LDO) may be altered or removed
- Conditions may be added at time of approval
 - Recommended by the Planning Board
 - Adopted by Council
 - Agreed upon by the petitioner

Ms. Garner reviewed the Technical Review Committee special condition request:

- The petitioners formally request that, for purposes of future building expansion or development, this petition include the provision to allow expansion or development of up to 25 percent of the existing main structure's gross floor area, and that any expansion or development within this 25 percent be considered a revision as defined by the City of Salisbury LDO, to the CD Overlay

Ms. Garner noted the current GR-6 zoning corresponds with the surrounding area. She explained RMX zoning is:

- Used as a transitional zone against residential zoning districts
- Typically contains multi-family, offices, and institutional uses

Ms. Garner reviewed the proposed uses under RMX-CD:

- All uses other than child daycare center and elementary/secondary school will be prohibited on the site
- The CD Master Plan and Overlay establishes and sets the development type and all uses to exactly what is proposed

Ms. Garner referenced the Vision 2020 Plan and noted:

- Schools: We see schools (public, private, parochial, primary, secondary, and higher education) that provide a quality education and are supported by strong parental and community involvement. Our schools are located in proximity to neighborhoods so as to be natural gathering places for people to come together to solve community problems
- Cultural Diversity and Acceptance: We see a community which embraces and appreciates the strengths and interests of a diverse population made greater by the common objectives of quality education, economic opportunity, public safety, and civic purpose

Ms. Garner noted the TRC met November 20, 2014 and recommends approval with the condition regarding future expansion up to 25 percent. She stated the Planning Board met December 9, 2014 and recommends approval with the TRC condition.

Mayor Woodson asked if the Yadkin Path Montessori School will begin as a preschool. Ms. Garner stated it will initially be a child daycare center operating as a preschool, with the potential for future expansion to an elementary school.

Planning and Development Services Manager Preston Mitchell indicated any square footage expansion of the CD through new development, or redevelopment over 10 percent, warrants a full amendment to the CD. He explained there are provisions in the Land Development Ordinance (LDO) that allow expansion up to 25 percent. He stated the petitioner is requesting growth up to 25 percent of the existing gross floor area without requiring a change to the CD.

Councilmember Alexander pointed out the request will give the petitioner planning flexibility.

Councilmember Kennedy asked why the Planning Board recommends the request is not inconsistent with the Vision 2020 Plan rather than consistent. Mr. Mitchell noted the Vision 2020 Plan does not address the issue, and the request is not inconsistent with other parts of the Vision 2020 Plan.

(b) Mayor Woodson convened a public hearing, after due notice thereof, to receive comments regarding CD-06-2014 Yadkin Path Montessori School.

Ms. Myra Tannehill, 4755 NC 801 Highway, Woodleaf, Proposed Director of the Yadkin Path Montessori School, and Mr. Dean Hamilton, 4755 NC 801 Highway, Woodleaf, thanked Council for considering the zoning change. Ms. Tannehill noted she is excited about the possibility of a Montessori Child Care Center in Rowan County. She stated Montessori teaching addresses infants through twelfth grade. She pointed out she is not interested in expanding beyond third grade at this time. Ms. Tannehill described a Montessori school model which includes a love of learning that will last a lifetime.

Mr. Jerry Lawson, 301 Bethel Drive, President of the Salisbury Kiwanis Club, noted in the 1960s and 1970s the property was the Kiwanis Health Camp. He pointed out the camp was very active and later became a Summer Camp that partnered with the YMCA. He noted the camp was closed due to daycare center restrictions and since that time there has not been a good use for the property. He noted the Kiwanis would like to see the property used again to serve children.

Mr. Ronnie Smith, 113 Canteberry Drive, stated he supports the Montessori School project. He pointed out the camp was owned and operated by Kiwanis for nearly 50 years, and it is time to make the change. He asked Council to support the program. He added neighbors attended the Planning Board meeting did not oppose the plan. He pointed out the Yadkin Path Montessori School will be an outstanding addition to the community.

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

Mayor Pro Tem Blackwell explained Abraham Maslow partnered with Marie Montessori to found the Montessori schools and teach children self-actualization. She noted she is a big fan of the Montessori model, and she supports the program which teaches children independence.

Councilmember Alexander stated she also supports the Yadkin Path Montessori School which will be a great addition to local education opportunities.

Mayor Woodson noted his grandson attends a Montessori school, and he is very impressed with the quality of the education he receives. He indicated it is a good program and Council supports education.

Ms. Alexander stated the City Council hereby finds and determines that adoption of an Ordinance to rezone the property as described herein by establishing a Conditional District Overlay 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, Ms. Alexander made a **motion** to adopt an Ordinance amending the Land Development Ordinance and the Land Development District Map of the City of Salisbury, North Carolina, by rezoning two parcels at 2135 Bringle Ferry Road, approximately nine acres, from General Residential (GR6) district to Residential Mixed-Use (RMX) district and establishing a conditional district overlay to permit the proposed development; identifying the development documents; identifying permitted uses; identifying development conditions; providing an effective date; and for other purposes. Mr. Kennedy seconded the motion. Messrs. Kennedy, and Woodson, and Meses. Alexander and Blackwell voted AYE. (4-0)

ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE AND THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, BY REZONING TWO PARCELS AT 2135 BRINGLE FERRY ROAD, APPROXIMATELY NINE ACRES, FROM GENERAL RESIDENTIAL (GR6) DISTRICT TO RESIDENTIAL MIXED-USE (RMX) DISTRICT AND ESTABLISHING A CONDITIONAL DISTRICT OVERLAY TO PERMIT THE PROPOSED DEVELOPMENT; IDENTIFYING THE DEVELOPMENT DOCUMENTS; IDENTIFYING PERMITTED USES; IDENTIFYING DEVELOPMENT CONDITIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(The above Ordinance is recorded in full in Ordinance Book No. 25 at Page No. 2-4, and is known as Ordinance 2015-02)

INTERIM CITY MANAGER'S COMMENTS

(a) **Duke Energy Tree Trimming**

Interim City Manager John Sofley stated he received an email from Mr. Randy Welch with Duke Energy regarding right-of-way tree trimming. He noted Duke Energy identified East Liberty Street, Park Avenue, Cemetery Street, East Kerr Street, North Main Street, North Fulton Street, West Franklin Street, Mocksville Avenue, North Caldwell Street, North Craig Street, West Henderson Street and Rutherford Street as areas to be trimmed. He added Duke Energy plans to give property owners a three-day notice prior to working in their area. He stated he will give a copy of the email to Council for its records and staff will forward the information to the *Salisbury Post*.

Councilmember Alexander asked if a permit is required for Duke Energy to work in the City. Mr. Sofley stated the City does not require Duke Energy to have a permit for right-of-way tree trimming.

MAYOR'S ANNOUNCEMENTS

(a) **Dr. Martin Luther King Jr. Birthday Celebration**

Mayor Woodson announced the W.G. "Bill" Hefner V.A. Medical Center will host a celebration of Dr. Martin Luther King, Jr.'s birthday Friday, January 16, 2015 at 1:00 p.m. The celebration will be held in the Social Room, Building 6 at the Hefner V.A. Medical Center located at 1601 Brenner Avenue.

(b) **Dr. Martin Luther King, Jr. Parade and Activities**

Mayor Woodson announced the Dr. Martin Luther King, Jr. Parade will be held Saturday, January 17, 2015. The parade will begin at 11:00 a.m. at the corner of Kerr Street and North Main Street and will end at Livingstone College. Following the parade, activities celebrating Dr.

King will be held from 12:30 p.m. until 4:00 p.m. at the Hall Gym located at 1420 West Bank Street.

(c) Dr. Martin Luther King, Jr. Humanitarian Awards

Mayor Woodson announced Mt. Zion Missionary Baptist Church will host the annual Dr. Martin Luther King, Jr. Humanitarian Awards Sunday, January 18, 2015 at 3:00 p.m. The Awards will be held at Mt. Zion Missionary Baptist Church located at 1920 Shirley Avenue.

(d) Dr. Martin Luther King, Jr. Breakfast

Mayor Woodson announced the Salisbury-Rowan Human Relations Council will host the Dr. Martin Luther King, Jr. Breakfast, Monday, January 19, 2015 at 7:00 a.m. The Breakfast will be held at the J. F. Hurley YMCA, 828 Jake Alexander Boulevard. Tickets are \$10.00. To purchase tickets or for additional information please call 704-638-5217.

CLOSED SESSION

Mayor Woodson asked for a motion to go into closed session regarding a personnel matter as allowed by NCGS 143-318.11(a)(6).

Thereupon, Mr. Kennedy made a **motion** to go into closed session regarding a personnel matter as allowed by NCGS 143-318.11(a)(6). Ms. Alexander seconded the motion. Messrs. Kennedy, and Woodson, and Mses. Alexander and Blackwell voted AYE. (4-0)

RETURN TO OPEN SESSION

Thereupon, Ms. Blackwell made a **motion** to return to open session. Ms. Alexander seconded the motion. Messrs. Kennedy, and Woodson, and Mses. Alexander and Blackwell voted AYE. (4-0)

Mayor Woodson announced no action was taken during closed session.

RECESS

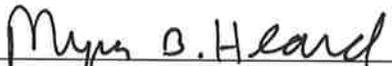
Mayor Woodson asked for a motion to recess the meeting until Monday, January 12, 2015 at 2:00 p.m. in Council Chambers at City Hall, 217 South Main Street.

Thereupon, Ms. Alexander made a **motion** to recess the meeting until Monday, January 12, 2015 at 2:00 p.m. in Council Chambers at City Hall, 217 South Main Street. Ms. Blackwell seconded the motion. Messrs. Kennedy, Woodson and Mses. Alexander and Blackwell voted AYE. (4-0)

The meeting was recessed at 6:30 p.m.



Paul B. Woodson, Jr., Mayor



Myra B. Heard, City Clerk