

Salisbury, North Carolina
March 15, 2016

REGULAR MEETING

PRESENT: Mayor Karen Kirks Alexander, Presiding; Council Members Kenneth Hardin, William Brian Miller, and David Post; City Manager W. Lane Bailey; City Clerk Myra B. Heard, and City Attorney F. Rivers Lawther, Jr.

ABSENT: Mayor Pro Tem Maggie Blackwell.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The invocation was given by Councilmember Miller. The meeting was called to order by Mayor Alexander at 5:00 p.m.

PLEDGE OF ALLEGIANCE

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

RECOGNITION OF VISITORS

Mayor Alexander welcomed all visitors present.

CHANGES TO THE AGENDA

Mayor Alexander noted the following changes to the Agenda:

Add — Council go into a closed session concerning an economic development matter as allowed by NCGS 143-318.11(a)(4) and a personnel matter as allowed by NCGS 143-318.11(a)(6).

CONSENT AGENDA

(a) Approval of Minutes

Approve Minutes of the Regular Meeting of March 1, 2016 and the Special Meeting of March 1, 2016.

(b) AT&T Public Right-Of-Way Request

Authorize AT&T to place 8,963 feet of innerduct within public rights-of-way in the Reserve and Country Club Hills, subject to the current fee structure.

Thereupon, Mr. Miller made a **motion** to adopt the Consent Agenda as presented. Mr. Post seconded the motion. Messrs. Hardin, Miller and Post, and Ms. Alexander voted AYE. (4-0)

NORTH CAROLINA HISTORIC TAX CREDITS AND CONNECT NC BOND

Mayor Alexander introduced North Carolina Department of Natural and Cultural Resources Secretary Susan Kluttz who addressed Council regarding the restoration of North Carolina Historic Tax Credits.

Secretary Kluttz thanked Council and the community, on behalf of Governor Pat McCrory and the North Carolina Department of Natural and Cultural Resources, for supporting the reinstatement of North Carolina Historic Preservation Tax Credits. She recognized Deputy Secretary Dr. Kevin Cherry, Assistant Secretary for Marketing Communications Cary Cox, and North Carolina Transportation Museum Director Kelly Alexander who were in the audience.

Secretary Kluttz noted Historic Tax Credits are critical to the State's success. She pointed out 90 of 100 counties have used the tax credits which generated \$1.67 billion in private investment since their inception in the 1990s. She stated a Coalition was formed in January 2015 that included the North Carolina Metropolitan Mayor's Coalition, North Carolina League of Municipalities, Association of County Commissioners, Preservation North Carolina, and professional groups across the State. She explained the Coalition set out on an awareness tour to educate the public regarding the Historic Tax Credits and to convince legislatures of their importance to the State. She added the awareness tour included 73 stops in 52 cities and towns across the State.

Secretary Kluttz commented Historic Tax Credits create economic development, jobs, and promote tourism and downtown development. She pointed out the restoration and redevelopment of older buildings are critical to North Carolina's story. She noted in March 2015 the North Carolina House passed the reinstatement of North Carolina Historic Tax Credits 98 to 15. She indicated the Senate placed the Historic Tax Credits in a committee where it would not be heard, so the Coalition continued its tour for another six months and generated 1,800 media stories. She announced the Historic Tax credits were included in the 2016 Budget. She indicated developers from all over the nation are once again interested in North Carolina as a result of the Historic Tax Credits.

Secretary Kluttz noted Governor McCrory proclaimed October 14, 2015 as Historical Tax Credit Day. She presented a video message from Governor McCrory, and she stated Salisbury is a leader in historic preservation.

Secretary Kluttz explained, at the Governor's recommendation, natural resources were moved from the North Carolina Department of Environmental and Natural Resources (DENR) to the North Carolina Department of Cultural Resources. She added the department became known as the North Carolina Department of Natural and Cultural Resources. She pointed out the transition doubled the department's size and placed the natural and cultural treasures of State government under one department.

Secretary Kluttz noted the Connect NC Bond referendum is on the ballot today. She explained Connect NC would provide funding to universities and community colleges, including \$7.2 million to Rowan-Cabarrus Community College, funding to the National Guard and Agriculture, \$75 million to State Parks, and \$25 million to the North Carolina Zoo.

Mayor Alexander thanked Secretary Kluttz for all she does for the City and State. She noted Council agreed to adopt a Resolution in Support of the \$2 billion Connect North Carolina Bond Referendum.

Thereupon, Mr. Post made a **motion** to adopt Resolution in support of the \$2 billion Connect NC Bond referendum. Mr. Hardin seconded the motion. Messrs. Hardin, Miller and Post, and Ms. Alexander voted AYE. (4-0)

RESOLUTION IN SUPPORT OF THE \$2 BILLION CONNECT NC BOND REFERENDUM.

(The above Resolution is recorded in full in Resolution Book No. 15 at Page No. 9, and is known as Resolution 2016-08)

Mayor Alexander presented a copy of the Resolution to Secretary Kluttz. She thanked her for her work on behalf of the North Carolina Department of Natural and Cultural Resources and all she does for the City and State.

SPECIAL COMMUNITY ORGANIZATIONS 2016-2017 BUDGET REQUESTS

Mayor Alexander opened the floor to receive presentations from Special Community Organizations regarding 2016 -2017 City Budget requests.

Mr. Joe Morris addressed Council on behalf of the Pops at the Post Board. He thanked Council for its past financial support, and he invited everyone to attend the 12th annual Pops at the Post to be held Saturday, June 4, 2016. He added the event has become iconic for the City. Mr. Morris pointed out the annual budget for the free event is approximately \$50,000, and includes over 80 musicians. He asked Council to consider \$2,000 to help fund the 13th annual Pops at the Post in 2017.

Ms. Kelly Alexander, North Carolina Transportation Museum Executive Director, thanked Council for its continued support of the Museum. She noted the North Carolina Transportation Museum had over 100,000 visitors in 2015, and provided an \$11 million impact to the local economy. Mr. Mark Brown, North Carolina Transportation Museum Public Information Officer, reviewed improvements that are being made to the Museum, and he noted upcoming events. He asked Council for its continued support of the North Carolina Transportation Museum.

Mr. Anthony Johnson, Founder and Co-director of the Mini Funk Factory Marching Band, and Mr. Justin Walker Co-director Mini Funk Marching Band, addressed Council regarding the Mini Funk Factory Marching Band. Mr. Johnson thanked Council for its continued support, and he explained last year's funding helped purchase new uniforms for the band and fund a trip to Montgomery, Alabama. He noted the Mini Funk Factory Marching Band is located on the Livingstone College Campus. Mr. Walker pointed out the Livingstone College Band practices with the Mini Funk Factory Marching Band, investing their time and talent to help the students grow.

Ms. Beth Moore, Executive Director Prevent Child Abuse Rowan and the Terri Hess House, and Ms. Melissa Shue, Prevent Child Abuse Rowan Prevention and Education Coordinator, addressed Council. Ms. Moore explained Prevent Child Abuse Rowan works with children who are victims of physical and sexual abuse. She pointed out Prevent Child Abuse Rowan served 244 children in 2015, which represented a 35 percent increase in the number of children served. She noted the requested funding will be used to support children in the City schools.

Councilmember Hardin asked about the 35 percent increase in Prevent Child Abuse Rowan's caseload. Ms. Moore explained the number of cases increased by 35 percent from 2014 to 2015.

Ms. Alisha Byrd, Founder of Gem Stones Academy, and Mr. Alex Clark, Founder of Compass, explained Gem Stones Academy and Compass are non-profit organizations. Ms. Byrd stated Gem Stones Academy and Compass serve students in the 5th through 12th grades by offering tutoring in conjunction with Livingstone College. She commented in 2015 the organizations awarded \$1,500 in scholarships. She pointed out the organizations partner with Rowan Helping Ministries and Habitat for Humanity. She explained the requested funding would be used to purchase a van for the students. Mr. Clark noted Gem Stones Academy and Compass provide community outreach by mentoring young men and teaching them social skills. He requested \$25,000, and he added the purpose of Gem Stones Academy and Compass is to reach children before they head down the wrong path.

Ms. Amy Pruitt, Director Horizons Unlimited, 1636 Parkview Circle, thanked Council for its continued support of Horizons Unlimited. She pointed out many visitors would not have educational opportunities without Horizons Unlimited. She noted Horizons Unlimited will celebrate its 50th anniversary next year. She stated Horizons Unlimited hopes to include additional hands-on interactive programming, which would be offered free to the public. She indicated Horizons Unlimited plans to purchase additional programming for the planetarium, and to upgrade its nature trail. She thanked Council for its continued support of Horizon's Unlimited.

Reverend Carolyn Bratton, Pastor of Moore's Chapel AME Zion Church, and Reverend David McLean, Pastor of Soldier's Memorial AME Zion Church, addressed Council representing the Families and Communities Together Program (FACT). Rev. Bratton explained FACT was formed by the two churches working together in the West End community. She explained FACT provides life skills to children and their parents, and works to keep the children occupied and learning during the summer months. She stated the requested funding would be used to purchase equipment for a basketball camp and to bring in motivational speakers.

Councilmember Hardin asked if FACT is a collaboration between the two churches or an outreach ministry outside of the church. Rev. Bratton stated FACT is a collaboration of the two churches.

Ms. Ella Woods, Executive Director Tsunami Development Literacy Program, and Dr. Yolanda Meed Byrd, Vice-president of Events and Facility Operations, addressed Council regarding the Tsunami Development Literacy Program. Ms. Woods explained the program was formed by Mr. Chris Sifford, Councilmember Kenneth Hardin, Mr. Anthony Smith, and Mr. Nicholas Means. She stated illiteracy drains life out of the community. She noted the Tsunami Development Literacy Program was launched in 2015 and is offered to children in the Salisbury-Rowan community free of charge. She noted the Tsunami Development Literacy Program encourages reading and comprehension. She commented its mission is to positively impact literacy growth for 3rd, 4th, and 5th grade students by providing tutoring and reading support that will enable them to be productive learners while instilling character and positive values. She thanked Council for its consideration of the Tsunami Development Literacy Program.

Mr. Scott Bannister, Executive Director Communities in Schools, thanked Council for its past support. He noted Communities in Schools works to empower students to stay in school and achieve in life. He added in 2015 Communities in Schools served 3,152 students and 1,700 family members in seven Rowan County Schools. He indicated 12 staff members and 369 Communities in Schools volunteers provided over 16,227 volunteer hours in 2015. He noted Communities in Schools has an annual budget of \$253,783. He commented every dollar invested creates \$6.10 of economic benefit to the community, and he added Communities in Schools currently provides services to 89 students. He requested Council consider \$7,000 to support Communities in Schools.

There being no one else to address Council, Mayor Alexander closed the public input session.

PUBLIC COMMENTS

Mayor Alexander opened the floor for public comment.

Ms. Jeffrey Hoy, 510 Maupin Avenue, asked Council to consider a Citizen Review Board for the Police Department. He also suggested a study regarding municipal elections based upon districts, and he recommended the election for mayor be held separately from the Council election.

Ms. Dee Dee Wright, 418 South Caldwell Street, announced the West End Community Organization will meet Thursday, March 17, 2016 at 2:00 p.m. at the Community Development Corporation (CDC) to discuss the West End transformation.

There being no one else to speak, Mayor Alexander closed the public comment session.

ALLEY CLOSURE – 400 BLOCK NORTH LEE STREET

City Engineer Wendy Brindle stated at its February 16, 2016 meeting Council adopted a Resolution of Intent to permanently close an alley in the 400 block of North Lee Street. She displayed an aerial map and noted the alley's proximity to Kerr and Cemetery Streets. She pointed out the property surrounding the alley is owned by a single property owner.

Ms. Brindle explained a public hearing was set as required by North Carolina General Statute 160A-299, and all notifications were made to the public and the property owner. She stated in accordance with the statute:

- Closing of a portion of the street must not be contrary to the public interest
- No individual shall be deprived of reasonable means of ingress and egress to his property

Ms. Brindle indicated staff believes both conditions have been satisfied.

(b) Mayor Alexander convened a public hearing, after due notice thereof, to receive comments regarding the proposed alley closure in the 400 block of North Lee Street.

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

Councilmember Miller clarified the alley closing would not impact the property owner's access to his property. Ms. Brindle agreed.

Thereupon, Mr. Miller made a **motion** to adopt a Resolution pertaining to the acceptance of an Offer of Dedication for public use of an alley in the 400 block of North Lee Street. Mr. Post seconded the motion. Messrs. Hardin, Miller and Post, and Ms. Alexander voted AYE. (4-0)

RESOLUTION PERTAINING TO THE ACCEPTANCE OF AN OFFER OF DEDICATION FOR PUBLIC USE OF AN ALLEY IN THE 400 BLOCK OF NORTH LEE STREET.

(The above Resolution is recorded in full in Resolution Book No. 15 at Page No. 10, and is known as Resolution 2016-09)

Thereupon, Mr. Miller made a **motion** to adopt an Order closing an alley in the 400 block of North Lee Street. Mr. Post seconded the motion. Messrs. Hardin, Miller and Post, and Ms. Alexander voted AYE. (4-0)

IT IS NOW, THEREFORE, ORDERED AND DECREED by the City Council of the City of Salisbury, Rowan County, North Carolina, pursuant to and in accordance with the authority vested in this Council by the General Statutes of North Carolina, Section 160A-299.

COMMENCING at a nail set having coordinates of N:701767.74, E:1564932.31, located at the southern boundary of the said alley and the eastern boundary of Lee Street which is N 46°50'04" E a distance of 200.47 feet from a nail set at the southeastern

Intersection of Lee and Kerr Streets with coordinates of N:701630.60, E:1564786.09; thence with a bearing of N 46°49'22" E a distance of 6.20 feet to a nail set said nail being in the center of said alley on the eastern edge of Lee Street; thence with a bearing of N 46°58'23" E a distance of 6.18 feet to a nail set said iron being on the northern edge of said alley and the eastern edge of Lee Street which is S 46°50'03" W a distance of 194.17 feet from a nail set which is on the southern boundary of Lee Street and the western edge of Cemetery Street with coordinates of N:701909.04, E:1565082.98; thence with a bearing of S 42°48'44" E a distance of 114.51 feet to a nail set on the northern edge of said alley and in the center of a railway spur track; thence with a bearing of S 42°47'51" E a distance of 192.54 feet to a nail set on the northern edge of said alley and the western edge of Southern Railway; thence with a bearing of S 28°59'56" W a distance of 6.31 feet to a 5/8" rod set in the center of said alley and Southern Railway; thence with a bearing of S 29°18'55" W a distance of 6.30 feet to a 5/8" rod set on the southern edge of said alley and the western edge of Southern Railway; thence with a bearing of N 42°48'30" W a distance of 169.01 feet to a spike set on the southern edge of said alley; thence with a bearing of N 42°47'26" W a distance of 31.00 feet to a spike set on the southern edge of said alley and in the center of a railway spur track; thence with a bearing of S 62°08'49" W a distance of 1.21 feet to a nail set on the southern edge of said alley and in the center of a railway spur track; thence with a bearing of N 42°23'45" W a distance of 110.57 feet to a nail set; which is the POINT OF BEGINNING, containing 3796 square feet or 0.087 acres.

Be and the same is hereby forever closed.

This the 15th day of March 2016.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: s/s Karen Kirks Alexander
Mayor

s/s Myra B. Heard
City Clerk

CONTRACT – ELLIOTT DAVIS DECOSIMO

Finance Director Teresa Harris stated the City solicited proposals for its financial audit. She explained the City worked with its previous auditor for 11 years, and she commented the contract expired after the June 30, 2015 audit was complete.

Ms. Harris noted staff sent a Request for Proposal to 19 accounting firms and received five responses. She stated, after an extensive review, staff recommends Council award the FY2016 audit contract to Elliott Davis Decosimo for \$32,000. She explained the contract is binding for FY2016 and will be brought back to Council for approval of years 2017-2019. She pointed out the four-year estimated total would be \$131,900. She added Elliott Davis Decosimo's proposal meets or exceeds the City's audit requirements.

Councilmember Miller clarified \$32,000 is the cost for the FY2016 audit. He asked if Council will be committing to one year or four years if it approves the contract. Ms. Harris explained the contract is binding for one year with options for 2017-2019. Mr. Miller asked if the total of \$131,900 includes the FY 2016 audit. Ms. Harris noted the total estimate price includes FY2016. Mr. Miller questioned \$131,900 being part of the bid if it is not a binding contract. City Manager Lane Bailey explained the agreement can be dissolved if either party is unsatisfied.

Mr. Miller asked if the contract must be rebid if the City agrees to the four year option or if the estimated price will be maintained. Mr. Bailey noted the four-year price would be \$131,900 as stated in the contract. Ms. Harris clarified staff will bring the contract back to Council each year for its approval, and she pointed out Elliott Davis Decosimo has submitted a price for each of the four years.

Mr. Miller clarified each year Elliott Davis Decosimo could give the City a new price associated with the audit, and Council can choose to accept the price or select another firm. Ms. Harris agreed. Mr. Miller pointed out the four year cost is an estimated price. Finance Manager Wade Furches explained the proposal was submitted for four years and staff plans to use Elliott Davis Decosimo for each of the four years based on the request for proposal. He pointed out North Carolina General Statutes require the City to award its auditing contract on a yearly basis. He noted the yearly contract provides the City a way out should problems arise. He commented the first year is the only binding year of the contract.

Mr. Miller added the contract is like previous audit contracts. Mr. Furches noted a three percent yearly price increase is included in the contract. He indicated the City paid \$33,800 for its FY2015 financial audit, and he pointed out FY2016 audit will be \$1,800 less than the previous year's audit. Mayor Alexander clarified the four-year price of the contract will not exceed \$131,900. Mr. Furches agreed.

Councilmember Post asked where Elliott Davis Decosimo is located. Mr. Furches stated the company is based out of Charlotte and has an office in Raleigh. He pointed out Elliott Davis Decosimo is fairly new to municipal governments in North Carolina, but has conducted Wake County's audit for the last two years. He noted staff contacted Wake County and references in South Carolina who were very satisfied with the services provided by Elliott Davis Decosimo.

Mr. Post asked if price is the basis for the selection. Mr. Furches explained reviewing the quotes is a two-step process. He noted staff requests the firm's qualifications and their costs be submitted separately. He added the firms must be qualified before their quote is considered, and he pointed out two of the firms that bid the job were not as qualified so their bids were not reviewed.

Mr. Post asked why the City chose to seek quotes on its financial audit. Mr. Furches noted staff considers the experience of the partners, auditors in charge, and the staff that will work on the audit. He noted in the request for proposal staff asked what other services the firms could provide, and he pointed out it is important for the firm to have an overall knowledge of situations the City could encounter. He added the City has never contracted with an auditing firm to provide additional services.

Mr. Furches pointed out Elliott Davis Decosimo is a large firm with 800 accountants, and one of the 30 largest firms in the country. Mr. Post asked if the headquarters is located in Charlotte. Mr. Tom McNeish, Representative Elliott Davis Decosimo explained the company's headquarters are located in Greenville, South Carolina but the largest office is in Charlotte. He added the City's audit would be completed in Charlotte.

Mr. Furches stated Martin Starnes and Associates performs more audits in the City's population range than anyone in the State. He added Martin Starnes and Associates is qualified to perform the City's audit, but Elliott Davis Decosimo came out slightly ahead during the selection process.

Mr. Post asked if Martin Starnes and Associates rotated the partner in charge of the City's audit every five years as required by Sarbanes-Oxley. Mr. McNeish clarified the City is not subject to Sarbanes-Oxley. Mr. Furches stated Martin Starnes and Associates did not rotate the partner in charge of the City's audit.

Mr. Post asked if Fibrant was considered during the selection process, and if Elliott Davis Decosimo has experience auditing a broadband utility. Mr. Furches stated Elliott Davis Decosimo has experience auditing enterprise funds. He pointed out a broadband service fund is an enterprise fund just like the water sewer fund. Mr. Post noted water sewer funds do not have competition. He commented Fibrant has competition and auditing its performance is different than auditing the City's other services. He asked if Fibrant was part of the discussion during the auditor selection process. Mr. Furches stated Fibrant was not discussed.

Mr. Miller pointed out the auditor's job is to make sure the City is fairly representing its financial information, and not to compare the City's fund to similar enterprise funds. He pointed out Elliott Davis Decosimo is a large firm and most likely has partners who deal with broadband. He added it can be an asset to bring in a new company with a new perspective.

Thereupon, Mr. Miller made a **motion** to designate Elliott Davis Decosimo as the City's auditors and award a contract in the amount of \$32,000 for auditing services for Fiscal Year ending June 30, 2016 with an option for years 2017-2019. Mr. Hardin seconded the motion. Messrs. Hardin, Miller and Post, and Ms. Alexander voted AYE. (4-0)

CONTRACT – CAROLINA SITEWORKS, INC.

Street Maintenance and Stormwater Utility Manager Craig Powers and Purchasing Manager Anna Bumgarner addressed Council regarding a contract for street paving. Mr. Powers stated the project was sent out for bids, and he noted the City estimated 3,700 tons of asphalt would be needed to complete the street paving. He explained 3,700 tons of asphalt equates to approximately six lane miles or three street miles of paving. He reviewed the streets to be paved:

- Liberty Street
- Anderson Street
- Stuart Drive
- North Arlington Street
- Church Street
- Cedar Street
- Gaskey Road
- Parkview Circle
- North Merritt Street
- West Henderson Street
- Wood Avenue

Mr. Powers stated the streets will be milled and repaved. He noted the contractor will have until June 30, 2016 to complete the project. He pointed out a 10 percent increase in cost from last year, and he indicated additional funds would be needed to complete the project. He stated staff recommends awarding a contract to Carolina Siteworks, Inc. for \$400,801.25 for street paving.

Councilmember Hardin asked if cost was the only factor taken into consideration when selecting a street paving contractor. He then asked if Carolina Siteworks, Inc. has a default rate, and if the City has assurances the company can complete the project. Mr. Powers noted the City has used Carolina Siteworks, Inc. in the past and has been pleased with the results. He explained the contract is unit based. He stated 3,700 tons of asphalt is an estimated amount and the City will pay for actual usage. He added if the job is not completed, staff would use another contractor that bid the project.

Ms. Bumgarner noted State law requires bonds be issued for \$500,000 projects, and she pointed out a bond can increase the project cost. She stated staff has not required performance bonds on past resurfacing projects. She pointed out a per-day charge is included in the contract, should the contractor go past the completion deadline.

Councilmember Miller pointed out the City has used Carolina Siteworks, Inc. on past paving projects with good results.

Thereupon, Mr. Post made a **motion** to award a contract in the amount of \$400,801.25 to Carolina Siteworks, Inc. for street paving. Mr. Miller seconded the motion. Messrs. Hardin, Miller and Post, and Ms. Alexander voted AYE. (4-0)

UPDATE – OFF PREMISES SIGNS BILLBOARDS

Planning and Development Services Manager Preston Mitchell noted at the March 1, 2016 Council meeting two citizens voiced their concerns regarding digital billboards being allowed in the City. Mr. Mitchell noted digital billboards are becoming more popular throughout the region. He commented the cost of the billboards are coming down, and a property owner can collect additional revenue for multiple messages on a single billboard.

Mr. Mitchell displayed a map of the City, and he pointed out there are 26 billboards in the City's zoning jurisdiction. He indicated the majority of the billboards are located along Interstate 85, Jake Alexander Boulevard, and South Main Street. He explained only one of the 26 billboards conform to the Land Development Ordinance (LDO). He explained the Sign Overlay A runs along both sides of Interstate 85 and requires a billboard be:

- Located in industrial zoning
- Not a V-sided sign
- 400 square foot maximum area
- 30 feet maximum height
- Minimum 1000 feet between signs
- Minimum 200 feet from residential zoning

Mr. Mitchell noted billboards can be maintained, but cannot be taken down and new signs erected. He pointed out the North Carolina Department of Transportation and the State also have guidelines for billboards.

Mr. Mitchell referenced the Vision 2020 Plan regarding community appearance which states, "We see a community of clean, tree-lined streets, subtle commercial signage, and buildings of architectural distinction nestled amidst properly designated and well-maintained landscaping. We see smaller parking areas with cars tucked behind landscaped walls and hedges or parked to the rear of buildings. East Innes Street has been transformed into a grand, landscaped boulevard from the I-85 interchange to the downtown. Jake Alexander Boulevard and Main Street have been developed in similar grand fashion."

Mr. Mitchell noted the Sign Ordinance is being rewritten to meet the objectives of the Vision 2020 Comprehensive Plan and allow continued economic development. He referenced the Vision 2020 Comprehensive Plan Section C-13 which stated City policies and Ordinances shall prohibit billboards within the planning jurisdiction of the City.

Mr. Mitchell pointed out the Vision 2020 Comprehensive Plan will be updated in the near future, and he noted allowing electronic billboards would be a significant shift in the current policy. He requested electronic billboards not be included in the rewriting of the Sign Ordinance. He commented the Sign Ordinance is approximately 80 percent complete and the draft is being reviewed. He pointed out adding billboards to the Sign Ordinance would significantly slow the process.

Mr. Mitchell noted staff recommends allowing the Community Appearance Commission (CAC) to address electronic billboards. He pointed out the CAC was instrumental in drafting the original and current Sign Ordinance, and the CAC plays an important role in community signage. He added electronic billboards would go before the Planning Board for a recommendation under North Carolina General Statutes. He commented the CAC and Planning Board could work together on electronic billboards.

Councilmember Miller noted the citizens were referred to the One Stop Shop because the public comments session was not the place to answer their questions. He pointed out the Vision 2020 Comprehensive Plan is clear regarding billboards, but the issue could be addressed in an updated version of the Vision 2020 Comprehensive Plan.

Mr. Mitchell explained the citizens visited the One Stop Shop and requested a permit to erect an electronic billboard in place of the current billboard. He noted staff explained the process would require a text amendment to the LDO and a significant shift in City policy. He added staff suggested the citizens approach Council in a formal session. He noted the citizens are actively seeking a permit for an electronic billboard.

Mr. Miller noted Council did not direct an outcome but advised the petitioner of the proper channels that need to be taken.

Mayor Alexander thanked Mr. Mitchell for the update.

Councilmember Post noted 25 of the 26 billboards are nonconforming. He asked if the billboards are grandfathered. Mr. Mitchell explained the nonconforming billboards are grandfathered. He added the billboard overlays along Main Street and Jake Alexander Boulevard were removed making the billboards nonconforming. He stated the billboards along Interstate 85 became nonconforming when the LDO was adopted. He commented the LDO allows billboards in industrial zoning.

Mr. Post pointed out the Vision 2020 Comprehensive Plan has been in place for nearly 20 years and 25 billboards are nonconforming. He asked how long an item can be grandfathered and asked that this be considered during the Vision 2020 Comprehensive Plan Update.

City Attorney Rivers Lawther explained the billboards are grandfathered because they are amortized. He added the law states if billboards along a Federal highway are removed, the City will have to pay the owner for lost revenue. He pointed out any amortization would require a payment from the City. He added if the billboards are destroyed by a natural disaster they cannot be rebuilt.

Mr. Post clarified Federal law requires the City compensate the owners of the billboard for loss of economic value. Mr. Lawther agreed, and he pointed out the amortization is available and some of the billboards were taken down after seven years. He noted the billboards were assigned a useful life and the City did not have to pay, but if the billboards are along a Federal highway compensation is required. He commented the City chose not to pay the property owners, and the billboards were grandfathered.

Mr. Post asked if the payment would be the same if the billboards are brought down right away or in the future. Mr. Lawther explained seven years was considered the useful life of a billboard, but the City would have to consult appraisers.

Mr. Mitchell clarified Council would like electronic billboards to be considered in the Vision 2020 Comprehensive Plan Update. Mayor Alexander agreed.

BOARDS AND COMMISSIONS

Community Appearance Commission

Upon a motion by Mr. Miller, seconded by Mr. Hardin, and with Mr. Post and Ms. Alexander voting AYE, the following appointment was made to the Community Appearance Commission:

Mr. Thomas Lyons

Term Expires 3/31/19

Historic Preservation Commission

Upon a motion by Mr. Miller, seconded by Mr. Post, and with Mr. Hardin and Ms. Alexander voting AYE, the following appointment was made to the Historic Preservation Commission as the North Main Street Representative:

Ms. Sue McHugh

Term Expires 03/31/19

Upon a motion by Mr. Hardin, seconded by Mr. Miller, and with Mr. Post and Ms. Alexander voting AYE, the following reappointment was made to the Historic Preservation Commission:

Mr. Carl Peters

Term Expires 03/31/19

Upon a motion by Mr. Miller, seconded by Mr. Post, and with Mr. Hardin and Ms. Alexander voting AYE, the following appointment was made to the Historic Preservation Commission:

Ms. Katy Temple

Term Expires 03/31/19

Human Relations Council

Upon a motion by Mr. Miller, seconded by Mr. Post, and with Mr. Hardin and Ms. Alexander voting AYE, the following appointment was made to the Human Relations Council:

Ms. Jimmie Moomaw

Term Expires 03/31/19

Parks and Recreation Advisory Board

Upon a motion by Mr. Post, seconded by Mr. Miller, and with Mr. Hardin and Ms. Alexander voting AYE, the following appointment was made to the Parks and Recreation Advisory Board:

Mr. Paul Woodson

Term Expires 03/31/19

Planning Board

Upon a motion by Mr. Miller, seconded by Mr. Hardin, and with Mr. Post and Ms. Alexander voting AYE, the following appointments were made to the Planning Board:

Mr. John Schaffer

Term Expires 03/31/19

Mr. Michael Hallett

Term Expires 03/31/19

Transportation Advisory Board

Upon a motion by Mr. Miller, seconded by Mr. Hardin, and with Mr. Post and Ms. Alexander voting AYE, the following appointment was made to the Transportation Advisory Board:

Ms. Jill Debose

Term Expires 03/31/19

Tree Board

Upon a motion by Post, seconded by Mr. Miller, and with Mr. Hardin and Ms. Alexander voting AYE, the following appointments were made to the Tree Board with a term waive request for Rodney Queen:

Ms. Tiffany Page

Term Expires 03/31/19

Mr. Rodney Queen

Term Expires 03/31/19

Zoning Board of Adjustment

Upon a motion by Mr. Miller, seconded by Mr. Post, and with Mr. and Ms. Alexander voting AYE, the following appointments were made to the Zoning Board of Adjustment:

Mr. Keith Knight

Term Expires 03/31/19

Upon a motion by Mr. Miller, seconded by Mr. Post, and with Mr. Hardin and Ms. Alexander voting AYE, the following appointments were made to the Zoning Board of Adjustment as a City Alternate:

Mr. Gerald Rush

Term Expires 03/31/19

CITY MANAGER'S COMMENTS

(a) Meet with the Manager

City Manager Lane Bailey announced he will meet with citizens in the in the first floor conference room at City Hall on the first Wednesday of each month, after the Council meeting, beginning Wednesday, April 6, 2016 from 10:30 a.m. until 11:30 a.m.

Mayor Alexander noted Mr. Bailey will address citizen questions or concerns.

COUNCIL'S ANNOUNCEMENTS

Mayor Alexander stated she received a request from Councilmember Hardin to have other announcements before the Mayor's Announcements. She asked if Council had any announcements to share with the community.

Councilmember Hardin noted he respectfully asked Mayor Alexander to consider the change which would allow her the final comments during Council meetings.

(a) Recognition – Mr. Javon Hargrave and Ms. Quanera Hayes

Councilmember Hardin recognized North Rowan High School graduate Javon Hargrave, who is projected to be a second round NFL draft pick. He noted Mr. Hargrave gives back to the community and volunteers with the youth. He also recognized Livingstone College graduate Quanera Hayes for winning the 400 meters championship at the United States Track and Field Championships. He noted Ms. Hayes will compete in the 2016 Olympics.

(b) Meeting with City Manager and Interim Police Chief

Councilmember Hardin announced he met with City Manager Lane Bailey and Interim Police Chief Brian Stallings. He thanked Mr. Bailey and Interim Chief Stallings for the update and overview regarding the police department. He assured citizens the Police Department is not lowering its protection, and he noted areas in the City are not being neglected. He asked citizens to work with the Police Department and Interim Chief Stalling during this period of transition and growth. He noted Interim Chief Stalling is doing a great job.

(c) Street Department Employees

Councilmember Hardin stated he observed the Street Department, and he was impressed with their expertise. He thanked employees for their patience as they address question from the public while performing their duties. He recognized Street Department employees Kenneth Graham, John Pless, and Ed Cole for resolving Stormwater issues in the Westcliff subdivision. He added City employees do great work in the community. He noted issues arise, but the good things also need to be recognized.

MAYOR 'S ANNOUNCEMENTS

(a) Egg Hunt and Community Fun Day

Mayor Alexander announced the Parks and Recreation will hold an Egg Hunt and Community Fun day Saturday, March 19, 2016 from 11:00 a.m. until 1:00 p.m. at Kelsey Scott Park. Kick-off the spring season with the Easter Bunny, games, food, egg hunt and more. This event is free and open to the public.

(b) Community Conversations

Mayor Alexander announced the second in a series of "Community Conversations" will be held Tuesday, March 22, 2016 at 7:00 p.m. at Father's House of Glory located at 2218 Statesville Boulevard. Residents will have an opportunity to hear from the City Manager and staff about City services and share their concerns with staff on a variety of topics, including public services, transportation, crime, and other issues within their neighborhood.

(c) African American Memorial

Mayor Alexander announced for the first time in North Carolina history, a memorial honoring the contributions of African Americans to the State will be erected on the grounds of the State Capital in Raleigh. A committee comprised of several North Carolina Historical Commission members and the African American Heritage Commission will determine what the monument will be. North Carolina citizens have the opportunity to provide feedback during public hearings to be held March 22 in Rocky Mount or March 29 in Fayetteville. Citizens can also provide feedback by visiting the North Carolina Department of Natural and Cultural Resources at www.ncdcr.gov/monuments-feedback.

(d) Steering Committee Vision 2020 Comprehensive Plan

Mayor Alexander announced applications are being accepted from those wishing to serve on the Steering Committee for the update to the Vision 2020 Comprehensive Plan. The City is looking for volunteers who represent a diverse cross-section of the community and have different geographic, economic, generational, and social perspectives. Applications can be submitted online at www.salisburync.gov through the Boards and Commissions page or by calling Catherine Garner at 704-638-5324.

CLOSED SESSION

Mayor Alexander requested Council go into a closed session concerning an economic development matter as allowed by NCGS 143-318.11(a)(4) and a personnel matter as allowed by NCGS 143-318.11(a)(6).

Thereupon, Mr. Miller made a **motion** to go into closed session concerning an economic development matter as allowed by NCGS 143-318.11(a)(4) and a personnel matter as allowed by NCGS 143-318.11(a)(6). Mr. Hardin seconded the motion. Messrs. Hardin, Miller and Post, and Ms. Alexander voted AYE. (4-0)

RETURN TO OPEN SESSION

Thereupon, Mr. Post made a **motion** for Council to return to open session. Mr. Miller seconded the motion. Mr. Hardin and Ms. Alexander voted AYE. (4-0)

Mayor Alexander announced no action was taken in closed session.

ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Miller seconded by Mr. Post. All council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 8:05 p.m.



Karen Kirks Alexander, Mayor


Myra B. Heard, City Clerk